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Agenda No. 77
04/18/06

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

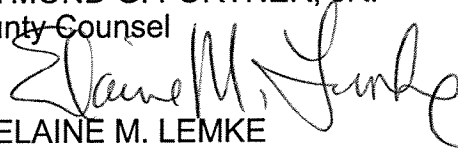
**Re: CONDITIONAL USE PERMIT NUMBER 03-147-(5)
ZONE CHANGE NUMBER 03-147-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

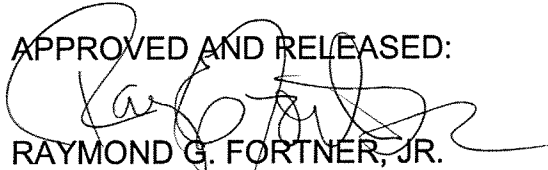
Your Board previously conducted a hearing regarding the above-referenced conditional use permit and requested zone change to authorize a new development program for the entire 8.13-acre site which is proposed to include a department store, existing restaurant with the sales of a full line of alcoholic beverages, and a relocated and remodeled restaurant with sales of a full line of alcoholic beverages for on-site consumption in the proposed C-2-DP zone in the South Santa Anita - Temple City and East San Gabriel Zoned Districts. At the conclusion of the hearing, you indicated an intent to approve the requested zone change and permit with additional conditions and instructed us to prepare the appropriate findings and conditions for the permit for approval. Enclosed are the proposed findings and conditions for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel
EML:di
Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 03-147-(5)**

1. The applicant is requesting a Zone Change from C-1 (Restricted Business), C-2 (Neighborhood Business), C-H-DP (Commercial Highway, Development Program), and R-3 (Limited Multiple Residence) to C-2-DP (Neighborhood Business - Development Program), and a Conditional Use Permit ("CUP") to authorize a new development program for the entire 8.13-acre subject property which is proposed to include a department store, existing restaurant with sales of a full line of alcoholic beverages, and a relocated and expanded restaurant to include sales of a full line of alcoholic beverages for on-site consumption in the proposed C-2-DP zone.
2. The Los Angeles County Board of Supervisors ("Board") conducted a duly noticed public hearing on this proposed CUP and zone change request on April 18, 2005. The Los Angeles County Regional Planning Commission ("Commission") conducted its duly noticed public hearing on the CUP and zone change request on January 19, 2005, March 9, 2005, July 20, 2005, and September 28, 2005. The Commission approved the CUP and recommended adoption of the requested zone change. Pursuant to Title 22 of the Los Angeles County Code ("County Code"), the CUP was deemed to be called up for review by the Board to be considered concurrently with the recommended zone change.
3. The subject property is located on Rosemead Boulevard between Huntington Drive and Fairview Avenue in the East San Gabriel and South Santa Anita - Temple City Zoned Districts. It is located in the East Pasadena – San Gabriel Community Standards District.
4. The subject property is 8.13 acres in size, consists of 11 Assessor's parcels and is currently developed with commercial, office, and residential uses. The site is rectangular in shape (with three parcels not a part of the project) bounded by Rosemead Boulevard, Huntington Drive, Fairview Avenue, and residences and is located in an urban area devoid of natural habitat.
5. The site plan submitted for Board consideration depicted a proposed one-story 88,407-square-foot Kohl's Department Store at 30 feet in height located on the northern portion of the site, west and north of the existing Northwoods Inn Restaurant (14,060 square feet). The Board, however, reduced the allowed square footage of the department store to 80,000 square feet. The proposed relocated and expanded Galley Restaurant (8,500 square feet), similar in design to the former restaurant, is depicted south of and adjacent to the existing fire station. The site plan showed a total building floor area of 110,967 square feet, but in light of the Board's reduction in the size of the department store, the overall project square footage has been reduced by 8,407 square feet. The remainder of the site is depicted as parking and landscaping.

6. Properties located between the Northwoods Inn and the proposed Galley restaurant at the southeast and northeast corners of the involved block and the existing fire station are not a part of the project site.
7. Access to the property is proposed from Huntington Drive and Rosemead Boulevard as follows:
 - A. Huntington Drive to the north in one location - right-turn ingress and right-turn egress;
 - B. Rosemead Boulevard to the east in two locations:
 - i. Primary access just north of the fire station - right and left turn ingress and right-turn egress; and
 - ii. Access to an employee-only parking lot just north of the Northwoods Inn - right-turn ingress and right-turn egress.

A proposed limited entrance on Fairview Avenue was eliminated by the Board.

8. The subject property is currently zoned C-1, C-2, C-H-DP, and R-3. Changing the zoning to C-2-DP will assure that any development after the rezoning conforms to the approved plans and ensure compatibility with the surrounding area. The CUP will restrict development to one existing and one relocated restaurant, a new department store, parking, and landscaping. A new conditional use permit would be required for any other development on the property.
9. Surrounding properties are zoned as follows:

North:	C-2, R-1-20,000 (Single-Family Residence, 20,000-square-foot minimum lot size), R-1-40,000 (Single-Family Residence, 40,000-square-foot minimum lot size), and R-3;
South:	R-3 and R-2 (Two-Family Residence);
East:	C-2, C-1, CPD (Commercial Planned Development), R-3-25U (Limited Multiple Residence, 25 units per acre maximum), R-1 (Single-Family Residence), and R-3; and
West:	R-3, R-1, and R-A (Residential - Agricultural).
10. The subject property is currently developed with three restaurants, 11 retail uses, a dental office, general office uses, and five single-family residences with a combined total floor area of 65,372 square feet.

11. Surrounding land uses consist of the following uses:
 - North: Medical offices, commercial uses, and single-family residences;
 - South: Single and multi-family residences;
 - East: Commercial uses, an office building, and single and multi-family residences; and
 - West: Single and multi-family residences.
12. Previous cases on the subject property and other property history include the following:
 - A. Zone Exception Case ("ZEC") 6400 was denied in June 1962; this ZEC was filed to authorize development of a 20-unit apartment building on the property located at 8961 Fairview Avenue (currently developed as parking).
 - B. Plot Plan ("PP") 14801 appears to have originally authorized establishment of the Northwoods Inn Restaurant, with sales of a full line of alcoholic beverages on the property in 1965 (although the original plot plan is missing from the file).
 - C. PP15173 was filed in March 1966 to determine whether the Director of Regional Planning ("Director") could potentially approve a transitional parking lot at the western end of the property in the R-3 zone. The Director determined that such a parking lot could be approved upon submittal of a specific development plan. In April 1967, such a plan was submitted and subsequently approved. In June 1967, the Director approved a new garage for the single-family residence at the western end of the property.
 - D. PP19102 was filed in October 1970 to authorize establishment of an antique shop at the southeast corner of the site adjacent to an existing single-family residence and detached garage. This shop would later become the dry cleaners establishment and professional office depicted on the site plan of existing uses in Figure 5 of the Draft Environmental Impact Report ("DEIR") for the current proposal.
 - E. PP19175 was approved in October 1970 for a lease-only subdivision for the existing shops and restaurants on the site.
 - F. CUP 640 Variance 317 were filed in October 1974. The CUP and Variance were filed to authorize the sale of beer and wine at The Galley Restaurant and to modify development standards related to parking lot

landscaping and walls. The request was approved in April 1975 with an expiration date of April 2, 2000.

G. Zone Change/CUP 86-187-(5) were filed to change the zoning of the southerly 1.8-acre portion of the property along Fairview Avenue from R-A (Residential Agricultural) to C-H-DP (Commercial Highway, Development Program) to accommodate a development program consisting of three two-story office buildings with a maximum of 10,800 square feet each. The project was approved in 1987. The development program was not implemented and the CUP expired in 1989. However, the C-H-DP zoning remained in place.

H. In addition to the above cases, staff researched the historic zoning of the subject properties and found that the majority of the property was originally zoned R-1 and R-3, with the exception of an approximately 22,000-square-foot area at the southwest corner of Rosemead Boulevard and Huntington Drive which was zoned C-2. This zoning was adopted in 1930. In 1930, the C-2 zoned portion at this corner was expanded to approximately 76,000 square feet, with the remainder being changed to R-3. In 1954, the area extending from the existing C-2 zone to Fairview Avenue was changed from R-3 to C-1. In 1965, the properties adjacent to the existing C-2 and C-1 zones between Huntington Drive and the former Southern Pacific Railroad right-of-way were changed from R-3 to C-2 and C-1. In 1987, the C-H-DP zoning was established between the Southern Pacific Railroad right-of-way and Fairview Avenue. As staff was unable to locate the file for this zoning case, the development program that was approved for this property is unknown.

13. The revised project description in the DEIR and project analysis correctly states a General Plan ("Plan") designation of "3" (Medium Density Residential). The original DEIR incorrectly indicated "C" Major Commercial designation for the project site.

The County's DRAFT General Plan Update proposes designating the site and surrounding area as "C" (Major Commercial). The application of the Medium Density Residential designation of the Plan to this project is determined through guiding references in the Plan to neighborhood and community serving uses.

14. The following table summarizes how the project performs in relationship to development guidelines provided in the General Plan, pages III-34 to III-37:

PROJECT COMPONENT	PLAN GUIDELINES: NEIGHBORHOOD AND COMMUNITY SERVING	PROJECT PERFORMANCE
Location: Access	Major Intersections	<ul style="list-style-type: none"> • Located at Major Intersection
Location: Medium Density Residential Plan Designation (22/ac)	Non-Residential Neighborhood/Community Serving Uses Allowed	<ul style="list-style-type: none"> • Neighborhood/Community Uses Proposed • Neighborhood Business Zoning Proposed
Design: Building Architecture and Scale	<ul style="list-style-type: none"> • Neighborhood Compatible and Enhancing • Not to Exceed 10 Acres • Not to Exceed Adjacent Development in Height 	<ul style="list-style-type: none"> • Neighborhood Compatible Architecture • Borderline Neighborhood Enhancing • Less than 10 Acres (8.13 Acres) • One-Story in Height limited to 30 feet
Design: Landscaping	Neighborhood Compatible and Enhancing	<ul style="list-style-type: none"> • Compatible and Enhancing Norfolk Pines, Other Trees and Plants per Landscape Plan
Design: Noise Impacts	Noise Impacts Buffered in Part	<ul style="list-style-type: none"> • Sound Walls Provided for Sound Buffering • Truck Prohibition for Western Access and Driveways • Construction and Marginal Operational Noise Impacts Remain on the West Side
Design: Visual Impacts	Visual Impacts Buffered	<ul style="list-style-type: none"> • Wall-Screening Trees Required, and Equipment Screening Required
Construction Air Quality	Air Quality Mitigation Measures	<ul style="list-style-type: none"> • No Significant Air Quality Impacts from Revised Project Design
Access and Circulation	Maximize Safety and Convenience	<ul style="list-style-type: none"> • Add Deceleration Lanes • Add Rosemead Boulevard Signal • Employee-Only Parking Area Added • Reduce Huntington Drive Access from Two to One Driveway • Add Left Turn Access into Site from Northbound Rosemead Blvd. • Eliminate Fairview Avenue Access • Add Double Left Turn Lanes to Northbound and Southbound Rosemead Boulevard at Huntington Drive

The project is consistent with General Plan development guidelines.

15. The following two tables summarize how the project meets industry guidelines for neighborhood-serving facilities and guidelines for additional population served for community-serving facilities. The tables referenced for the public hearings were taken from industry standards for neighborhood and community serving facilities published by the Urban Land Institute as cited by Edward J. Kaiser, Godschalk, David R., and Chapin, F. Stuart Urban Land Use Planning, Fourth Edition, 1995, Urbana, IL, University of Illinois Press, p. 322. The Shopping Center Handbook,

3rd Edition, 1999, Urban Land Institute, pp. 8-13, verify that industry standards previously referenced remain the same in this latest edition available.

Neighborhood-Serving Facilities

PROJECT COMPONENT	INDUSTRY GUIDELINES: NEIGHBORHOOD SERVING	PROJECT PERFORMANCE
Scale: Site Area	Less than 10 Acres	8.13 Acres - Within Neighborhood Serving Parameter
Scale: Building Sales Area	30,000 to 100,000 square feet	80,000 square feet - Within Neighborhood Serving Parameter
Population Served: Distance - Radius of Market Area	Within 1.5 Mile Radius	<ul style="list-style-type: none"> • Inside 1.5 Mile Radius: No Other Similar Stores • Also likely to Serve Broader Community

Community-Serving Facilities

PROJECT COMPONENT	INDUSTRY GUIDELINES: COMMUNITY SERVING	PROJECT PERFORMANCE
Scale: Site Area	10-30 Acres	8.13 Acres - Less than Community Serving
Scale: Building Sales Area	100,000 to 300,000 square feet	80,000 square feet - Less than Community Serving
Population Served: Distance - Radius of Market Area	Within 3-5 Mile Radius	Other Similar Stores Within This Radius/Project serves this population

Project conformance with industry guidelines for neighborhood-serving and community-serving facilities support the consistency requirements of this project with the General Plan designation.

16. Section 22.44.135 of the County Code lists the development standards for properties within the boundaries of the East Pasadena - San Gabriel Community Standards District. The project complies with these standards as follows:
 - A. The maximum height of all structures, except chimneys and rooftop antennas, shall be 35 feet. The elevation drawings depict the building at a height of 30 feet and the project is conditioned not to exceed 30 feet. Thus, the project complies with applicable height requirements.
 - B. For structures that exceed 17 feet in height and are located on a lot or parcel of land adjacent to a residential zone, the maximum height of the structure at five feet from the property line adjacent to the residential zone shall be 10 feet and any portion of the structure that exceeds 10 feet in height shall be set back an additional foot for every additional foot in height. The building proposed is 30 feet in height. The setback calculation requires a setback of 25 feet (20 feet x 1 foot + 5 feet = 25 feet). The project is set back 32 feet from the adjacent residential area on the west side. As such, the project complies with applicable setback requirements.

- C. Prohibited signs are as follows: outdoor advertising signs; freestanding signs that exceed 30 feet in height, or are located within 100 feet of a residential use or zone, or extend into the public right-of-way; roof signs; flashing, animated, audible, rotating, and/or moving signs; and business signs that project or extend more than 18 inches from the building face. Signage plans conforming to this standard and the standards in Chapter 22.52, Part 10 of the County Code will be required. Additional signage measures are required in the conditions of approval.
 - D. The maximum floor area shall be 100 percent of the net lot area. The floor area shall include all enclosed buildings. A total of approximately 103,000 square feet of floor area is approved for the site, which does not exceed the net lot area of 354,143 square feet.
 - E. The maximum lot coverage shall be 75 percent of the net lot area. Lot coverage shall include all enclosed buildings. The area of the lot proposed to be covered by structures is approximately 103,000 square feet which does not exceed the 265,607-square-foot lot coverage limitation.
 - F. Exterior lighting shall be of top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination. Street lighting shall be consistent with the neighborhood pattern except where the Department of Public Works ("DPW") determines that a different street lighting configuration is required for the protection of public health and safety. Lighting shall comply with this requirement.
17. Pursuant to Section 22.28.170 of the County Code, premises in Zone C-2 shall be subject to the following development standards:
- A. That not to exceed 90 percent of the net area be occupied by buildings with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area. Lot coverage requirements of the zone are superseded by lot coverage requirements of the East Pasadena - San Gabriel Community Standards District. The applicant's response to the Burden of Proof indicates that 35,424 square feet of the 354,143 site, approximately 10 percent, will be landscaped in compliance with this requirement.
 - B. That there be parking facilities as required by Part 11 of Chapter 22.52. Section 22.52.1100 of the County Code requires parking for commercial uses at a ratio of one space per 250 square feet of floor area. Pursuant to Section 22.52.1110 of the County Code, parking for restaurants is required at a ratio of one space per three occupants based on the occupant load as determined by DPW. A total of 320 spaces are required

for the approved 80,000-square-foot department store and 114 spaces are required for the relocated Galley Restaurant (occupant load of 342).

As the Northwoods Inn Restaurant is an existing use and is not proposed to be modified, Section 22.56.1510(E) of the County Code specifies that the use is subject to parking requirements that were in effect at the time the use was established on the property. Based on the approved Plot Plan 14801, the parking requirement at the time the use was originally established was one space per 400 square feet of floor area for a parking requirement of 35 spaces (14,060/400).

Based on these calculations, the total parking requirement for the site is 469 spaces, eight of which must be handicapped spaces (one van accessible) and up to 188 of which may be compact spaces (40 percent). The site plan depicts provision of 502 total parking spaces, 11 of which are depicted as handicapped spaces; therefore, the parking requirements have been met.

- C. According to Section 22.52.1070(B), handicapped spaces for a particular use must be located "as near as practical to a primary entrance." The site plan depicts two handicapped parking spaces being located adjacent to each of the two restaurants meeting this requirement.
 - D. Except for parking lots and other uses not requested in this application, all displays in Zone C-2 shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit. Outdoor display is not proposed, with the exception of the parking lot, which is permitted.
 - E. No outside storage shall be permitted in Zone C-2. Outdoor storage is not proposed.
18. An Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 2100, et seq., "CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles ("County CEQA Guideline") to determine the appropriate and required environmental analysis and documentation. The Initial Study identified potentially significant impacts of the project regarding air quality, solid waste, traffic, environmental safety, construction noise, and operational noise. Based on the Initial Study, the Department of Regional Planning ("Department") determined that an Environmental Impact Report was required. A DEIR was prepared for this project.
19. A revised project description dated June 2, 2005, was voluntarily sent out for public circulation by the applicant prior to the July 20, 2005, continued Commission public hearing, using the same project notification mailing list as the original project.

20. An amended revised project description dated July 12, 2005, includes minor corrections and informational amendments to the June 2, 2005, revised project description and site plan. The amended revision was not recirculated because the changes were insubstantial refinements.
21. Recirculation of the DEIR was not required because the revised project created no new impacts.
22. The Final EIR consists of the DEIR, the Revised Project Description, Topical Responses, Responses to Comments, Revised Pages of the DEIR, Revised Air Quality, Noise and Traffic Analyses, and other supporting documents (collectively the "FEIR"). The FEIR for the project was prepared in accordance with CEQA, the State CEQA Guidelines and the County CEQA Guidelines. The FEIR concluded that no significant impacts which cannot be avoided or mitigated have been identified except for construction noise and operational noise impacts. All other potentially significant environmental impacts can be mitigated to less than significant levels through implementation of mitigation measures identified in the FEIR.
23. Construction noise and operational noise impacting the residences adjacent to the western boundary line are considered significant. The ambient noise level for the area is currently above the significant threshold of 65 decibels for residential uses. With the revised project's implementation, the ambient operational noise level will increase by seven decibels, remaining a significant impact. Projects that contribute more than three decibels to an existing high-noise environment are considered to have significant impacts. Mitigations proposed by the project, which include an eight-foot western perimeter wall, 12-foot sound barrier at the loading dock, prohibition of use of forklifts or other noisy machinery for unloading trucks at the loading dock, and prohibited use by trucks of the northwestern and southwestern access and driveways, are unable to reduce these noise impacts to a level of less than significant.
24. The Board has independently reviewed, considered, and certified the FEIR, and it reflects the independent judgment of the County.
25. As stated above, the project will result in unavoidable significant impacts on operational and construction noise. As such, approval of the project requires adoption of a Statement of Overriding Considerations which must include a finding that the benefits of the projects outweigh the potential unavoidable adverse impacts and that the unavoidable impacts are nonetheless acceptable based on specific overriding considerations.
26. The condition and decline of the existing commercial uses on the property can be improved by redevelopment of the site. An entirely different product using a national retail provider is proposed as an anchor in contrast to previous specialty and novelty store uses facing decline. The change to a national retail anchor is expected to help ensure the economic viability of two long-existing restaurants at

the site. The proposed development is expected to generate economic benefits for the area such as creation of up to an additional 150 jobs and added tax revenues contributing to the funding of needed public services. The proposed development may serve as a catalyst to remove blight on other nearby properties. The proposed development will result in creation of a significant community improvement fund for funding community enhancement projects.

27. The Board finds that the substantial benefits resulting from implementation of the project outweigh its unavoidable adverse effects on construction noise and operational noise levels. The unavoidable operational and construction noise impacts have been reduced to the extent feasible and the Board finds that the benefits of the project outweigh these unavoidable impacts and are determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations for the project.
28. The Board adopts the Findings of Fact and Statement of Overriding Considerations that have been prepared for this project, which are incorporated herein by this reference as if set forth in full.
29. The FEIR contains a list of mitigation measures to be utilized in the Mitigation Monitoring Program ("MMP"). The Board finds that the MMP is adequately designed to ensure proper implementation of the proposed mitigation measures and to ensure compliance with the MMP.
30. In its letter dated July 13, 2005, the Fire Department required the ingress and egress driveways at Rosemead Boulevard and Fairview Avenue each be modified to 20 feet and the site plan indicate hydrant locations. A revised site plan depicts a 28-foot northwestern driveway at Huntington Drive and a 30-foot driveway at Rosemead Boulevard street access from Rosemead Boulevard is 40 feet in width, including a 22-foot ingress and 18-foot egress separated by a narrow island. The site plan depicts a 32-foot driveway at Fairview Avenue with street access comprised of a 14-foot ingress and 14-foot egress with a narrow island four feet in width. The Board, however, found that access on Fairview Avenue should not be provided in order to mitigate "cut-through" traffic on Fairview Avenue. Accordingly, the Fairview Avenue access will be eliminated. In addition, the Board eliminated the traffic signal at the Rosemead Boulevard/Fairview Avenue intersection. These changes do not result in any new or additional significant impacts.
31. DPW submitted letters of recommended conditions dated July 15, 2003, June 10, 2004, July 14, 2005, and February 7, 2006. Subsequent to the issuance of the July 15, 2003 letter, a traffic study was submitted to and approved by DPW; therefore, Item Number 9 of this letter has already been completed. Item Number 3 includes a request that the applicant willingly agree to complete the sidewalk link to Rosemead Boulevard. Pending a determination of sufficient right-of-way, DPW has indicated that it would be agreeable to this

offer. In its letter dated February 7, 2006, DPW superseded the requirements and comments of the July 15, 2003 letter. In its letter dated July 14, 2005, DPW, Traffic and Lighting Division, required certain additional traffic conditions be included in the project.

DPW also required payment of \$250,000 by the applicant for installation of the proposed signal at Rosemead Boulevard and \$25,000 in a secured agreement for traffic calming measures, if deemed necessary in the future, for mitigation of impacts to Fairview Avenue and Lotus Street.

32. In its letter dated December 7, 2004, DPW reported the State of California's approval of SB 1375 to be effective January 1, 2005, pertaining to the State's relinquishment of Rosemead Boulevard to the County of Los Angeles. Since funding commitments of the County and the state have yet to be determined, final relinquishment of Rosemead Boulevard has not taken place.
33. The California Department of Transportation ("Caltrans") submitted a letter dated June 8, 2005, providing comments suggesting revisions to the traffic study.
34. The California Department of Alcoholic Beverage Control indicated in its report dated January 12, 2005, that five licenses for the sales of alcoholic beverages were allowed in the subject census tract, and that four existed. An undue concentration of alcoholic beverages was not present in the vicinity of the subject site.
35. Required legal notices of the Commission and Board public hearings were provided for this project as well as additional notice to various homeowner and neighborhood associations.
36. More than 1,000 individuals indicated support for the project via cards or letters. Supporters cited retention of the Northwoods Inn Restaurant, elimination of blight and construction of a department store or similar uses providing convenient services for the community as reasons for their support.
37. More than 400 people indicated concerns and/or opposition to the project. Included in this number are individual letters and signatures collected on petitions and form letters provided by community groups. Project opponents identified concerns about large-scale retail development and negative impacts on traffic, noise, property values, and general neighborhood quality of life. Challenges to the DEIR were also provided in writing.
38. Citizens with concerns about the project, but not outright opposed, suggested conditions to mitigate traffic concerns including closing or gating and controlling egress from the Fairview Avenue access; provision of deceleration lanes at site entrances on Rosemead Boulevard and Huntington Drive; and a right-turn-only restriction at the southern access point on Rosemead Boulevard. The conditions

of approval incorporate these recommendations, including closure of the Fairview Avenue ingress/egress.

39. Comments from the Chapman Woods Association on behalf of the Chapman Woods, Michillinda Park, and Fairview Avenue neighborhoods included a list of conditions requested to be incorporated into draft conditions for the project. The list includes guidelines for the formation of a Community Improvement Committee and establishment of a Community Improvement Fund; guidelines for monitoring potential cut-through traffic and the provision of traffic calming measures in the subject communities; architectural and landscaping guidelines; and other project design details. The conditions of approval incorporate these recommendations with modifications.
40. Letters were received from the counsel for the Chapman Woods Association including comments on the DEIR in a letter dated July 20, 2005, and comments on the applicant's traffic study in a letter dated August 19, 2005.
 - A. Comments pertaining to the DEIR are addressed in the FEIR.
 - B. The Chapman Woods Association acquired the services of Jones Engineers to review the traffic study supplied by the applicant and previously reviewed by DPW, Traffic and Lighting Division. The Commission directed the applicant and staff to respond to the engineers' report. The applicant's traffic consultant provided a response indicating that the engineers' report was primarily a critique of the County's traffic study requirements rather than the applicant's compliance with the County's requirements. Detailed responses by the traffic consultant are provided in a memo dated September 12, 2005. The traffic consultant's responses were forwarded to DPW, Traffic and Lighting Division for review. That division has reviewed the applicant's traffic consultant responses and had no additional comments.
 - C. The conditions of approval incorporate the applicant's voluntary offer to provide traffic monitoring on six designated streets within the Chapman Woods community.
41. Comments from the Michillinda Park Association included a request to reduce the number of lanes on East California Boulevard from four lanes to two lanes with left turn "cut-outs," the stated purpose being to reduce the speed of traffic on this thoroughfare for the sake of community member safety. This request will require future evaluation by DPW, Traffic and Lighting Division. Also requested was traffic monitoring of two streets. The conditions of approval reflect the applicant's voluntary offer to provide traffic monitoring of the designated streets for three years from occupancy of the approved project. Implementation of these proposals, however, is not required to mitigate traffic impacts to less than significant levels.

42. Comments from a representative of people living on or near Fairview Avenue included a specific request for closure, or partial closure, of Fairview Avenue west of the project access at Fairview Avenue. The Board, however, addressed the concerns of Fairview Avenue residents about cut-through traffic by eliminating the entrance/exit on Fairview Avenue. DPW, Traffic and Lighting Division, concurred that closure of this exit was feasible while still mitigating traffic impacts.
43. Comments from the Cortile Verde Home Owners Association, representing 20 condominium owners located near the project, expressed concern about continued blight at the subject site if no project is approved, and the representative expressed interest in a well-designed retail venue providing services needed by the community.
44. The applicant was directed by the Commission to perform additional community outreach following the July 20, 2005, and September 28, 2005, Commission public hearings. The applicant provided an outreach summary dated September 15, 2005, including 15 outreach activities performed following the July 20, 2005, public hearing through the September 28, 2005 hearing, and a summary dated January 19, 2005, including 19 outreach activities performed following the September 28, 2005, public hearing through January 16, 2005. Outreach activities included meetings with neighborhood and homeowner association representatives, specific topical e-mail and phone communications with association representatives, and meetings with County agency representatives.
45. Staff attended and participated in community meetings hosted by the applicant on Wednesday, June 15, 2005, and September 8, 2005. The former meeting was an "Open House" format encouraging community understanding of proposed project components, and for gaining community input on remaining concerns. The latter meeting was designed to gain community input regarding additional traffic concerns, use of the Community Improvement Fund, and other issues affecting the neighborhoods surrounding the project.
46. Staff participated in a meeting with community representatives hosted by the Fifth Supervisorial District on November 22, 2005, pertaining to community concerns about the project area.
47. Staff hosted a meeting with the applicant's team, two community representatives, and a representative from DPW on January 9, 2006, to discuss proposed final conditions of approval pertaining to the project.
48. For the purposes of this grant, the term "cut-through traffic" shall be defined as traffic normally using arterial thoroughfares such as Rosemead Boulevard and Huntington Drive in which drivers choose to use alternative neighborhood side streets to circumvent congestion or other delays on the arterials.

49. While less than significant traffic impacts are expected, conditions of approval require the applicant to prepare a future traffic study once the project is open.
50. The applicant has offered to make payment for traffic monitoring costs and up to \$150,000 for future traffic calming measures in defined neighborhood areas should such measures be deemed beneficial as outlined in the conditions of approval.
51. The applicant offers to contribute \$300,000 to a County-managed Community Improvement Fund to assist in beautification efforts, traffic calming, or other community improvements as recommended by a Community Improvement Committee and as outlined in the conditions of approval.
52. Recordation of a Lot Line Adjustment concurrent with recordation of a Certificate of Compliance for all parcels on the site is required prior to issuance of building permits enabling three separate parcels for each of the three primary uses; a department store, and two restaurants.
53. In the event parking is insufficient for any use established in any of the three subject lots created within the boundaries of the subject site, recordation of a Covenant to Hold Parcels as One is required prior to issuance of building permits.
54. The portion of the property identified by Assessor's Parcel No. 537-900-6016 located west of Donnelly Avenue at the northern end of the cul de sac on Sultana Avenue remains in the R-1 zone and is not included in the zone change to C-2-DP. This portion is to remain an open space buffer area in the residential zone.
55. The following fees/deposits apply:
 - A. Processing fees of \$875 related to filing and posting of a Notice of Determination with the County Clerk in compliance with section 21152 of the Public Resources Code and Fish and Game fees in compliance with section 711.4 of the Fish and Game Code. The fees will be required within five business days of the final approval date of the permit.
 - B. Inspection deposit of \$2,250 to cover the costs of zoning enforcement inspections every other year for 30 years.
 - C. Mitigation monitoring fee of \$3,000 to cover the costs for review and evaluation of the required mitigation monitoring program.
 - D. Zoning enforcement liaison fee of \$3,000 to defray the cost of attendance by the Zoning Enforcement Officer at the Community Improvement Committee meetings, not to exceed \$1,000 per year for three years. Any balance remaining at the end of three years from the date of acceptance of this grant shall be returned to the permittee.

56. The Burden of Proof for a CUP is met by the project because the project is consistent with the General Plan for the area, meets all required development standards, and all environmental impacts of the project, except for construction and operational noise, will be mitigated to a level of less than significant. As set forth in the Statement of Overriding Considerations, the substantial benefits of the project outweigh these noise impacts.
57. The Burden of Proof for a Zone Change is met by the project because the project seeks to meet changing neighborhood and community needs using adaptive reuse and redevelopment of this particular site which requires new zoning for the uses proposed. Existing variable zoning, including mixed residential and commercial designations, would make redevelopment of the site much more difficult to accomplish than the combination of new and reused facilities proposed requiring the single development program zone change for the entire site. Redevelopment of a site as a whole is generally more effective than piece-meal development. The project further justifies that it fulfills community trends and needs as the project is 1.5 miles or more from other neighborhood and community-serving department stores of a similar type. The project provides needed services for neighbors located within the 1.5-mile radius in addition to passersby from Rosemead Boulevard and Huntington Drive thoroughfares.
58. The additional findings for the sales of alcoholic beverages are met by the proposed project because the expanded and relocated restaurant will not detrimentally affect the nearby community. There is one liquor store within 500 feet of the site and no sensitive uses (churches, schools, or parks) within 600 feet of the site. The Department of Alcoholic Beverage Control indicated that the census tract area is not over-concentrated with establishments selling alcoholic beverages.
59. The documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter are located at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. The proposed use, with the attached conditions and restrictions, is consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare;

- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate;
- E. The proposed site is adequately served by other public or private service facilities as are required;
- F. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600 foot radius;
- G. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area;
- H. The requested use at the proposed location will not result in an undue concentration of similar premises;
- I. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- J. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Approves the FEIR prepared for the project; certifies that it has reviewed and considered the environmental information contained in the FEIR; certifies that the FEIR has been completed in compliance with the CEQA, the State CEQA Guidelines, and County CEQA guidelines and reflects the independent judgment of the Board of the environmental consequences of the project; determines that the conditions of approval and mitigation measures discussed in the FEIR are the only feasible mitigation measure for the project; determines that the significant environmental effects of the project, as described in the FEIR, have been reduced to the extent possible and are outweighed by specific social, economic, technological, or other benefits of the project as stated in the Findings of Fact and Statement of Overriding Considerations for the project; and adopts the Findings of Fact and Statement of Overriding Considerations prepared for the project.

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the FEIR and pursuant to section 21081.6 of the Public Resources Code, the Board finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
3. Approves CUP No. 03-147-(5) subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NUMBER 03-147-(5)

1. This grant authorizes a Conditional Use Permit ("CUP") for a development program including the existing Northwoods Inn Restaurant with the existing onsite sales of a full line of alcoholic beverages; the construction, operation, and maintenance of a one-story department store; relocation of the Galley Boat portion of the Galley restaurant and the expansion of that existing restaurant to include the onsite sales of a full line of alcoholic beverages in the expanded restaurant, as depicted on the approved Exhibit A subject to the final Mitigation Monitoring Program and all of the following conditions of approval. This grant is related to Zone Change No. 03-147-(5) which authorizes a change in the zoning of the subject property from the C-1 (Restricted Business), C-2 (Neighborhood Business), C-H-DP (Commercial-Highway-Development Program), and R-3 (Limited Multiple Residence) to C-2-DP (Neighborhood Business - Development Program).
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not become effective until the Los Angeles County Board of Supervisors ("Board") has adopted Zone Change No. 03-147-(5). Upon said adoption, this grant shall not be effective for any purpose until the permittee and the owner of the subject property, if other than the permittee, have filed at the office of the Department of Regional Planning ("Department") their affidavit stating that they are aware of, agree to, and accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 10, 11, 12, and 13.
4. The permittee shall defend, indemnify, and hold harmless the County of Los Angeles ("County"), its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of section 65009 of the Government Code or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall, within 10 days of the filing, pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The

permittee shall also pay the following supplemental deposits from which actual costs shall be billed and deducted:

- A. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- B. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

- 6. This grant will expire unless used within two years from the date of approval. A one-year time extension may be requested in writing and with the appropriate fee, six months before the expiration date.
- 7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
- 8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of the Department ("Director").
- 9. This grant shall terminate on February 8, 2036, unless renewed by the Director for an additional period, not to exceed 10 years, upon the permittee's request made in accordance with the procedures set forth in Part 12 of Chapter 22.56 of the County Code or then-applicable provisions. Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If the permittee intends to continue operations after any such extended termination date, a new CUP application shall be filed with the Department at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
- 10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. The permittee shall deposit with the County the sum of \$2,250. The monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 15 inspections every other year for 30 years. The inspections shall be unannounced.

If any inspection discloses that the subject property is being used in violation of any conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department for all additional enforcement efforts necessary to bring the subject property into compliance. Additional inspections may be necessary if the permit is extended as prescribed in Condition No. 9.

Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be \$150 per inspection, or the current recovery cost, whichever is greater.

11. Permittee shall remit an \$875 processing fee (\$25 document handling fee and \$850 fish and game fee) payable to the County of Los Angeles related to filing and posting of a Notice of Determination with the County Clerk in compliance with section 21152 of the Public Resources Code and section 711.4 of the Fish and Game Code. The fees will be required within five business days of the final approval date of the permit.
12. The permittee shall comply with all requirements of the Final Mitigation Monitoring Program. Payment of the sum of \$3,000 shall be made to the Department within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.
13. The permittee shall deposit an additional sum of \$3,000 with the Department within 30 days of permit approval, in order to defray the cost of attendance by the Zoning Enforcement liaison at Community Improvement Committee meetings, not to exceed \$1,000 per year for three years from the beginning of operations of the project. Any balance remaining at the end of three years from the date of acceptance of this grant shall be returned to the permittee upon request.
14. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Regional Planning Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings

pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the County for all costs incurred in such proceedings.

15. All requirements of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
16. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said department.
17. Permittee shall comply with all County of Los Angeles Fire Department requirements specified in its letter dated June 13, 2005, except as otherwise required by said department.
18. Permittee shall secure any necessary permits from the South Coast Air Quality Management District and shall fully comply with the terms of applicable permits.
19. The subject property shall be developed and maintained in compliance with requirements of the County of Los Angeles Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
20. All structures shall comply with the requirements of the Department of Public Works ("DPW"), Building and Safety Division.
21. Concurrent recordation of a Lot Line Adjustment and a Certificate of Compliance for all parcels on the site is required prior to issuance of building permits establishing a separate parcel for each of the three primary uses; a department store, and two restaurants.
22. The department store shall be limited to 80,000-square-feet. Unless modified by this grant, the permittee shall comply with the requirements of the East Pasadena-San Gabriel Community Standards District.
23. In the event parking is insufficient for any use established in any subject lot within the boundaries of the subject site, recordation of a Covenant to Hold Parcels as One shall be required prior to issuance of building permits.
24. Permittee shall comply with all DPW requirements specified in its letters dated July 15, 2003, June 10, 2004, and July 14, 2005, except as otherwise required by said department.

25. Permittee shall complete all traffic mitigation measures currently required and shall complete construction of all current public improvement requirements of DPW prior to occupancy of the project and to the satisfaction of said department.
26. In addition, permittee shall, prior to issuance of building permits, post a bond for possible installation of a traffic signal at the intersection of Fairview Avenue and Rosemead Boulevard. The amount of the bond and the time period during which it shall be in effect shall be determined by DPW. Permittee shall monitor traffic impacts at this intersection, to the satisfaction of DPW, for review by DPW and the California State Department of Transportation ("Caltrans"). DPW shall determine whether and when a signal shall be installed.
27. Permittee shall complete all traffic mitigation measures required and shall complete construction of all public improvement requirements of Caltrans, unless modified by this grant, prior to occupancy of the project and to the satisfaction of DPW.
28. The permittee shall support and pay all expenses associated with the establishment and maintenance of a permit-parking district for the residents along Fairview Avenue (between Rosemead Boulevard and Lotus Street) and Sultana Avenue (near Fairview Avenue).
29. As volunteered, prior to issuance of building permits, the permittee shall pay \$25,000 into a dedicated and secured fund established by DPW for the sole purpose of traffic-calming measures on or near Fairview Avenue.

The traffic-calming and related measures recommended by DPW, Traffic and Lighting Division, contained in its letter dated July 14, 2005, and pertaining to Fairview Avenue and streets south and west of the project site near Fairview Avenue, shall be the responsibility of the permittee, except as otherwise required by said department. The cost of quarterly monitoring shall not be drawn from this fund. Quarterly monitoring shall be at the permittee's additional expense.

Notwithstanding any language to the contrary in the aforementioned letter dated July 14, 2005, from DPW addressed to Mr. David Shender, P.E., attached hereto as an exhibit, in the event the Average Daily Traffic ("ADT") increases by more than indicated on Table 1 of said letter over the established baseline for two consecutive quarterly monitoring periods, and the quarterly monitoring has taken place during a typical week and not during holiday periods or during periods when major events may occur, the expenditure of the fund for traffic-calming measures will be triggered.

If during the third year of quarterly traffic monitoring, the traffic counts show that any traffic increase exceeds the allowable increases in ADT on the above-referenced Table 1 and the initial \$25,000 fund has been expended, and further

traffic calming measures are deemed to be necessary by DPW, the permittee shall enter into a second secured agreement for an additional \$25,000.

30. The applicant shall provide the sum of \$100,000 for a Neighborhood Traffic Management Program ("NTMP"), to be deposited with DPW prior to the issuance of building permits for the project, to be used in accordance with this condition.

Prior to the commencement of operations of the project and continuing on a quarterly basis for three years after commencement of operations; the permittee shall conduct traffic counts at the following locations within Chapman Woods and Michillinda Park neighborhoods:

Chapman Woods Neighborhood:

- A. California Boulevard, just east of Lotus Avenue;
- B. Lotus Avenue, just south of Locksley Drive;
- C. Madre Street, just south of Grayburn Road;
- D. San Pasqual Street, just east of Halstead Street;
- E. Madre Street, just south of Lombardy Road; and
- F. Locksley Drive, just east of Lotus Avenue;

Michillinda Park Neighborhood:

- G. California Boulevard between Michigan Boulevard and Woodward Boulevard; and
- H. Michillinda Avenue between California Boulevard and Hugo Reid School tennis courts.

Such traffic counts shall be taken using the same methodology and timing set forth for traffic counts in the Fairview neighborhood in the aforementioned July 14, 2005, DPW letter, except that the permittee shall use an independent professional traffic engineering company selected by DPW, and the counts shall be taken at times when the project is open for business. All traffic counts shall be taken during a typical week and not during holiday periods or during periods when major events may occur. All costs associated with such monitoring program will be the sole responsibility of the permittee.

All monitoring reports prepared pursuant to this condition by the independent traffic engineer shall be provided to DPW, Traffic and Lighting Division, and to each of the members of the Community Improvement Committee established herein by Condition No. 31.D.

In the event the ADT increases by more than the percentages indicated on Table 1 of the July 14, 2005, DPW letter, for two consecutive quarterly monitoring periods over the established baseline, the permittee shall, within 30 days after such determination, provide a report on traffic-calming measures that may be warranted on the affected streets.

The cost of monitoring shall not be drawn from these funds. Monitoring shall be at the permittee's additional expense.

DPW shall administer the NTMP based on the guidelines specified on DPW's website <http://ladpw.org/traffic>. (Note: with regard to Table 1 of the July 14, 2005, DPW letter which does not address existing ADT in excess of 4,000, in the event of greater than 4,000 existing ADT, allowable increase in ADT shall be eight percent.)

No later than nine months following the conclusion of the three-year monitoring period, any monies deposited by the permittee pursuant to this condition which have not been spent, shall be returned to the permittee upon request.

31. The permittee's offer to provide \$300,000 for community improvements in proximity to the project including, but not limited to, Rosemead Boulevard ("Community Improvement Fund"), shall be established in a dedicated interest-bearing fund to the Department to be expended at the discretion of the Fifth Supervisorial District. The Community Improvement Fund shall be established prior to issuance of building permits. The Community Improvement Fund shall be subject to the following guidelines:
 - A. Any interested party located south of Huntington Drive, west of the City of Arcadia boundary, north of and including East Arcadia Avenue, and east of and including the east side of North Muscatel, and those within the boundaries of the Chapman Woods and Michillinda Park communities north of Huntington Drive, may make a request to the Community Improvement Committee ("Committee") for expenditure of funds for community-serving purposes related to the subject project;
 - B. Use of the \$300,000 Community Improvement Fund shall be for the sole purpose of funding community enhancement projects in the local community and shall include, but not be limited to the following: additional voluntary measures to reduce traffic impacts from the subject project; parkway/median and sidewalk improvements; landscaping public right-of-ways; security measures; and other public improvements related to the subject project.

Additional traffic-calming measures due to growth of local traffic volumes in the Fairview, Chapman Woods, and Michillinda Park neighborhoods, which are not covered by Condition Nos. 29 and 30 above, and if

recommended by the Committee (as defined in these conditions), and authorized by DPW, Traffic and Lighting Division, may include but not be limited to the following: speed humps; curb pop-outs; special signage; creation and/or implementation of parking restrictions; and circulation restrictions including turn prohibitions, truck access prohibitions, striping, red no-parking zones, and street closure. (Note: street closure requires additional procedures not included in this grant.)

Any Community Improvement Fund uses must be to the satisfaction of the Fifth Supervisorial District and other responsible agencies having jurisdictional authority over the specific community-serving request.

- C. In the event funds are requested by the Committee to be used for Rosemead Boulevard, including median or other improvements, the following additional condition applies: upon transfer of jurisdictional oversight of Rosemead Boulevard from the State to the County, and upon completion of Rosemead Boulevard conceptual plans by the County for road improvements, community improvements funded by the Community Improvement Fund and in proximity to the project including Rosemead Boulevard shall be accomplished to the satisfaction of DPW.
- D. Upon acceptance of this grant by the permittee, the Director or his designee shall appoint members to a Community Improvement Committee subject to confirmation by the Fifth Supervisorial District. The permittee will assist in coordinating the steps in the formation of the Committee including the identity of potential members. The Committee shall consist of nine members who will serve as a liaison between the permittee, the County, and the community.

The Committee will also serve as a means by which to allow the community to communicate with other regulatory agencies with respect to the development and operation of the subject project and will provide recommendations for the allocation of Community Improvement Funds to be provided by the permittee. The composition of the Committee shall be as follows:

- i. The Committee shall be comprised of persons who reside in the vicinity of the project site. Three members shall reside in the Chapman Woods neighborhood and shall be nominated by the Board of Directors of the Chapman Woods Association; three members shall reside in the Michillinda Park neighborhood and shall be nominated by the Board of Directors of the Michillinda Park Homeowners Association; and three members shall reside in the neighborhood located near Fairview Avenue south of Huntington Drive, including the south side of Huntington Drive, west of the City

of Arcadia boundary, north of and including East Arcadia Avenue, and east of and including the east side of North Muscatel Avenue.

The three members from the Fairview Avenue area neighborhood shall be nominated by the Director or his designee or, in the event a Homeowners Association representing the Fairview Avenue area is formed, nominated by the Board of Directors of said Association in collaboration with the Board of Directors of the Cortile Verde Homeowners Association. Within the parameters of this grant, the Committee shall structure its own leadership and operating procedures;

- ii. The Director shall appoint a Zoning Enforcement representative to serve as a Planning Department liaison for the Committee;
 - iii. Upon appointment of the Committee, the permittee shall do the following: provide qualified personnel to regularly attend Committee meetings (meetings to be determined by the Committee); provide reasonable access to the project site and pertinent information, including recorded complaints concerning the project's operations necessary for the Committee to perform its functions; provide funding for the County's cost of attendance at Committee meetings at least, but not limited to once per year for the first three years of operation of the project, \$200 per meeting, not to exceed \$1,000 per annum; and, the permittee shall provide accommodations for Committee meetings. Meetings shall be open to the general public and conducted in accordance with generally accepted meeting protocol; and
 - iv. For a minimum of five years from the acceptance of this grant by the permittee, the Committee shall meet on a quarterly basis, shall designate a member to prepare and submit to the Director minutes of the quarterly meetings and written recommendations as to the allocation of the fund, and shall keep a log of all complaints received or known. The permittee shall take all reasonable and necessary actions to mitigate the complaints, subject to review and concurrence by the Director or his designee.
32. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for approval three copies of revised plans, similar to Exhibit A, as presented at the public hearing with modifications required by the Board of Supervisors, including closure of the Fairview Avenue ingress/egress and showing the following:
- A. Sign locations;

- B. A landscaping table which lists the overall site area, parking lot area, and total landscaped area;
- C. Parking required and provided by respective buildings and parking calculations as required and determined by the Director of DPW and the County Code;
- D. Outdoor wall or pole mounted lighting; and
- E. Design renderings of each of the north, south, east, and west-facing building elevations of the department store building.

The property shall be maintained in substantial conformance with the approved plan. In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Director for approval. All revised plot plans must be accompanied by the written authorization of the property owner.

- 33. Within 60 days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into Exhibit A as described in Condition No. 32. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities and shall include a variety of shrubs and trees.

The landscape plan shall show a minimum of 10 percent of the net project area as landscaped including a minimum of two percent of the gross area of the parking lot, distributed evenly (County Code Sections 22.78.170.A and 22.52.1060.E).

The landscape plan shall include a six-foot masonry wall along the southerly boundary of the project adjacent to Fairview Avenue. Landscaping, including trees and shrubbery of varying sizes, shall be installed between the wall and the right-of-way on Fairview Avenue.

The landscape plan shall be in substantial conformance with the Conceptual Landscape Plans provided by the applicant dated June 8, 2005. The landscape plan shall also include evergreens along the northern frontage with a mix of 48-inch, 36-inch, and 24-inch boxed trees. The northern and eastern building frontages shall include landscaped mounding between trees and in front of buildings.

For the life of this grant the permittee shall maintain all landscaping in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, and fertilizing and replacement of plants when necessary.

34. The permittee shall install trees and other landscaping within the public right-of-way between the project property lines and the southern curb of Huntington Drive, subject to approval by DPW and any other department or public agency from which approval is required.
35. As agreed, the permittee shall install up to five new trees on the Huntington Drive median north of the proposed project subject to approval by DPW.
36. In the event that a means of maintaining and irrigating trees along the length of the sidewalk on the north side of Huntington Drive to the north of the department store building is ever installed in such area, the permittee shall install, or fund the installation of, trees in such area, subject to approval by DPW and any other department or public agency from which approval is required.
37. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for approval three copies of sign elevations depicting any proposed signs on the subject property. Signs shall be in conformance with Section 22.52.860.A. of the County Code.

Freestanding signage shall be limited on the site to two signs: one located near Rosemead Boulevard similar in design quality to the freestanding sign at the Kohl's store located on the northwest corner of South Fremont Avenue and West Mission Road in Alhambra; and one directional and/or informational sign, limited to specifications delineated in Section 22.52.960 of the County Code, located near the Huntington Drive access.

As agreed, the permittee shall install no building signage on the northern elevation of the department store building that is visible from the southbound lanes of Rosemead Boulevard.

38. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for approval three copies of an outdoor lighting plan depicting any proposed wall-mounted, pole-mounted, or other outdoor lighting on the subject property in conformance with Condition Nos. 32 and 40(g).
39. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises.

In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations.

40. This grant allows for the construction, operation, and maintenance of a department store and one expanded and relocated restaurant providing the on-site sales of a full line of alcoholic beverages, and the continued operation and maintenance of an existing restaurant providing the on-site sales of a full line of alcoholic beverages, to be developed in accordance with the approved Exhibit A, and subject to the additional following conditions:
- A. Operating hours, including special events and holidays, for the department store and two restaurants shall be limited to no earlier than 7:00 a.m. daily and no later than 12:00 a.m. daily. Operating hours prior to 7:00 a.m. and later than 12:00 a.m. daily are strictly prohibited for any use on the site;
 - B. Permittee will maintain a minimum of 502 on-site automobile parking spaces including 11 handicapped accessible parking spaces of which one is to be van accessible;
 - C. All required parking with the exception of 28 designated parking spaces for employees, shall be kept clear and open for members of the public;
 - D. The permittee agrees to provide on-site security to monitor the property, especially parking areas until 12:00 a.m. daily;
 - E. Permittee shall limit night lighting to the minimum necessary for security and to safely traverse the property. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. All light standards visible to the general public should be consistent with the overall architectural style of the project with respect to design, materials, and color;
 - F. A masonry wall shall be constructed along the westerly boundary of the subject property subject to review and approval by the Director;
 - G. All truck traffic shall be prohibited from use of the northwestern and southwestern access and connecting driveway along the western boundary of the project. Delivery trucks shall use only the Rosemead Boulevard entrance following the circulation plan included on Exhibit A;
 - H. Delivery trucks using the department store's loading dock are prohibited from making deliveries between 10:00 p.m. and 7:00 a.m. daily and shall be limited to no more than four deliveries per week. Trucks shall be unloaded manually without the aid of forklifts or other noisy equipment and shall not remain idling at the loading dock or anywhere on the premises;
 - I. The loading dock located at the southwesterly corner of the proposed department store shall be screened on its westerly side by a 12-foot masonry wall necessary to minimize noise and visual impacts to adjacent

properties. The placement and design of the wall is subject to review and approval by the Director;

- J. All material graded should be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering should occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day; all clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
- K. Project construction activity shall be limited to those hours between 7:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m., Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby offices, residences, and neighborhoods; generators, and pneumatic compressors shall be noise-protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction worker vehicles shall be on-site and restricted to areas that do not adversely affect residences located adjacent to the subject property. During construction, the permittee and its contractor shall comply with Sections 12.12.010 - 12.12.100 of the County Code regarding building construction noise. The permittee shall post signs on the subject property stating said parking and schedule restrictions;
- L. All sound-producing and view-impacting outdoor equipment such as air-conditioners and other roof or ground-mounted operating equipment shall be screened to minimize noise and viewshed impacts to adjacent properties;
- M. All construction contracts entered into by the permittee shall contain a provision for mandatory 50 percent recycling of construction waste;
- N. The Galley boat shall be preserved to the greatest extent feasible and relocated as part of the reconstruction of the Galley restaurant;
- O. Design and construction of the department store shall be compatible with the existing Northwoods Inn and proposed reconstruction of the Galley boat and restaurant so as to maximize to the extent feasible, the historic flavor and design elements of the two existing facilities;
- P. The permittee's offer to relocate the adjacent Fire Department substation's hose drying tower and truck access driveway shall be accomplished to the satisfaction of the Fire Department prior to issuance of a certificate of occupancy;

- Q. The permittee shall maintain the property in a neat and orderly fashion and maintain free of litter all areas on the premises under which the permittee has control;
- R. Outside display and storage of material on the property is prohibited;
- S. The permittee shall not store or use hazardous materials on the subject property other than those items incidental to normal operations of the department store and restaurant uses;
- T. In the event that the operation of any part of this facility should result in substantial complaints to the Department, the above-described conditions may be modified, if, after a duly-noticed public hearing, such modification is deemed appropriate to eliminate or reduce said complaints. The permittee shall reimburse the County for any necessary fees or costs associated with such hearing; and
- U. The permittee shall maintain a current contact name, address, and phone number with the Department at all times.

ATTACHMENTS:

Fire Department letter dated June 13, 2005

DPW letters dated July 14, 2005, December 7, 2004, June 10, 2004, July 15, 2003, and February 7, 2006

Caltrans letter with attachments dated June 8, 2005

ABC report dated January 12, 2005



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

DATE: June 13, 2005

TO: Department of Regional Planning
Permits and Variances

SUBJECT: CUP 03-147

LOCATION: Southwest corner of Huntington Dr. & Rosemead Blvd., Arcadia

- ☐ The Fire Department has no additional requirements for this permit.
- ☒ The required fire flow for this development is 5000 gallons per minute for 5 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- ☐ Install Public and/or On-site and/or 3 Upgrade 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA Standard C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ Location: Submit original Fire Flow Availability Form 196 to our office for 3 existing public fire hydrants, any 2 on Rosemead Blvd. closest to the development and 1 located on the Southeast corner of Huntington Dr. and Donnelly Ave. Submit location and fire flow data to our office for any existing on-site fire hydrants. Our Fire Department hydrant map shows 2 existing on-site fire hydrants.
- ☒ Access: The entrances from Rosemead Blvd. and Fairview Ave. shall provide a minimum unobstructed width of 20' for ingress and 20' for egress. The main Fire Department access with a width of 28' and 30' is adequate. Perpendicular parking aisles shall comply with the Department of Regional Planning for minimum width standards.
- ☒ Special Requirements: Resubmit site plan to the Fire Department with the required driveway width and fire hydrant locations. Architectural plans shall be submitted to the Department's Commerce Fire Prevention Office for review and approval, prior to building permit issuance. (323) 890-4125.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: Juan C. Padilla

Co.CUP 9/00



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES**DEPARTMENT OF PUBLIC WORKS***"To Enrich Lives Through Effective and Caring Service"*

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

February 7, 2006

IN REPLY PLEASE
REFER TO FILE: **LD-4**

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Witler *Barry S. Witler*
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. 03-147(I)

We have further reviewed the subject Permit in the East Pasadena area in the vicinity of the southwest corner of Huntington Drive and Rosemead Boulevard. This Permit is for the construction of a two-story Kohl's Department Store and a new restaurant. The Following revised conditions supersede our previous comments and recommendations dated July 15, 2003.

If this Permit is approved, we recommend the following conditions:

1. Dedicate the right to restrict vehicular access on Huntington Drive and Rosemead Boulevard along the property frontage.
2. Dedicate right of way 30 feet from centerline on Fairview Avenue. Five feet of additional right of way is required along a portion of Fairview Avenue.
3. Construct missing sidewalk on Fairview Avenue along the property frontage to the satisfaction of Public Works.
4. Reconstruct curb and gutter on Rosemead Boulevard at those areas where there are missing gutters along the property frontage to the satisfaction of Caltrans.
5. Close any unused driveways on Huntington Drive, Rosemead Boulevard, and Fairview Avenue with standard curb, gutter, and sidewalk to the satisfaction of Public Works and Caltrans.
6. Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement on Huntington Drive, Rosemead Boulevard, and Fairview Avenue to the satisfaction of Public Works and Caltrans.

Russell Fricano
February 7, 2006
Page 2

7. Comply with the following street lighting requirements to the satisfaction of Public Works:
 - a. Provide street lights on concrete poles with underground wiring on Huntington Drive, Rosemead Boulevard, and Fairview Avenue. Street lighting plans must be approved by the Street Lighting Section.
 - b. Upon Conditional Use Permit approval, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of \$72,000. The applicant shall comply with the conditions of acceptance listed below in order for the lighting district to pay for future operation and maintenance of street lights. The street lights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.
 - c. The area must be annexed into the lighting district, and all street lights in the project, or the current phase of the project, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.
8. Comply with mitigation of measures identified in the attached June 10, 2004, and July 14, 2005, memorandums from our Traffic and Lighting Division to the satisfaction of Public Works.
9. Plant street trees on Huntington Drive and Fairview Avenue to the satisfaction of Public Works.
10. Underground all existing and new utility lines to the satisfaction of Public Works.

WH:ca
P:\LD\PUB\TRANS\CUPS\CUP 03-147 KOHL'S STORE.DOC

Attach.

cc: Traffic and Lighting (Abdelhadi, Alfonso)
Land Development (Chong)



COUNTY OF LOS ANGELES

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ALHAMBRA, CALIFORNIA 91802-1460

July 14, 2005

IN REPLY PLEASE
REFER TO FILE: T-4

Mr. David Shender, P.E.
Linscott, Law & Greenspan, Engineers
234 East Colorado Boulevard, Suite 400
Pasadena, CA 91101

Dear Mr. Shender:

**KOHL'S COMMERCIAL DEVELOPMENT
TRAFFIC IMPACT STUDY (MAY 19, 2005)
CONDITIONAL USE PERMIT 03147
SAN GABRIEL AREA**

As requested, we have reviewed the above-mentioned document. The project site is located at the southwest corner of the intersection of Rosemead Boulevard at Huntington Drive in the unincorporated area.

The proposed project consists of the development of an 88,407-square-foot retail store with an 8,500-square-foot restaurant. The project site is currently occupied by 21,776 square feet of retail use, 2,400 square feet of office space, 7,004 square feet of dental office space, 13,075 square feet of restaurant use, and five single-family residential units. All of the above-mentioned existing buildings will be demolished as part of the project. The project is estimated to generate a net increase of approximately 3,164 vehicle trips daily, with 68 and 286 net vehicle trips during the a.m. and p.m. peak hours, respectively.

Vehicular access for the project will be provided via one driveway on Huntington Drive, two driveways on Rosemead Boulevard and one driveway on Fairview Avenue. The driveway on Huntington Drive and the north driveway on Rosemead Boulevard will be restricted to right-turn ingress and egress only. The southerly driveway on Rosemead Boulevard will be full access ingress with right-turn egress only. The Fairview Avenue driveway will be right-turn ingress and left-turn egress only to prevent project traffic from traveling through the residential neighborhood to the west of the project.

The following site access improvements are the sole responsibility of the project, shall be made a condition of approval, and shall be in place prior to issuance of any building permits.

Mr. David Shender
July 14, 2005
Page 2

Rosemead Boulevard at Fairview Avenue

Install a traffic signal.

The project is solely responsible for the design, procurement, and installation of the traffic signal prior to issuance of any building permits. The project shall enter into a secured agreement with Public Works for the cost of the traffic signal. This amount, which is estimated to be \$250,000, is subject to adjustment based on the estimated cost of the traffic signal at the time the agreement is executed. The security will be released upon the completion and approval of the traffic signal installation.

Rosemead Boulevard at Southerly Project Driveway

Install a northbound left-turn lane.

Caltrans and/or the County reserve the right to restrict full access at the southerly driveway along Rosemead Boulevard, should traffic conditions change or north/south traffic movement be impeded due to overflow queuing at the left-turn pockets.

We generally agree with the study that the traffic generated by the project alone will significantly impact the following intersections. The proposed mitigation measures indicated in our previous letter dated June 10, 2004 (copy enclosed) to the consultant are still applicable, except for the following revised mitigation measures at the intersection of Rosemead Boulevard and Huntington Drive. Detailed signing and striping plans of the proposed mitigation measures and along the project frontage shall be prepared and submitted to Public Works (and Caltrans if needed) for review and approval prior to issuance of any building permits.

Rosemead Boulevard at Huntington Drive

North approach: Two left-turn lanes, one through lane, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane.

South approach: Two left-turn lanes, one through lane, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane.

Mr. David Shender
July 14, 2005
Page 3

Modify traffic signals as necessary.

We also generally agree with the traffic study that the cumulative traffic generated by the project and other related projects in the area will significantly impact the following intersections. The proposed mitigation measures indicated in our previous letter to you dated June 10, 2004 (copy enclosed) are still applicable. Although the project has submitted conceptual striping plans, a cost estimate of the following mitigation measures shall also be provided for review and approval.

Rosemead Boulevard at Foothill Boulevard
Rosemead Boulevard at Colorado Boulevard
Rosemead Boulevard at Duarte Road
California Boulevard and Sunset Boulevard at Huntington Drive

We agree with the traffic study that the project will not have a significant impact to any of the studied Congestion Management Program intersections in the area.

The following comments pertain to our site review.

Your study notes that the project applicant can provide funds for the traffic-calming measures on the residential streets west of the project site, if warranted. We recommend that upon opening for business, the project be responsible for counting and monitoring traffic volumes on Fairview Avenue and Lotus Avenue adjacent to the development, quarterly over a 12-month calendar year, for a period of 3 years. 24-hour traffic volume counts can be taken on Tuesday, Wednesday, and Thursday of a typical week and the average daily trips (ADT) can be calculated from these counts. All counts ~~will be conducted and the reports prepared by either the County or, at the County's~~ discretion, by an independent professional traffic engineering company selected by the County. All cost associated with the monitoring program would be the sole responsibility of the project. Counts should not be taken during holiday periods or during periods when major events/celebrations may occur. The monitoring reports will include the ADT (including the traffic count data from all 3 days and the average derived the counts) and will indicate how the ADT relates to the baseline.

The existing, baseline, ADT for Fairview Avenue and Lotus Avenue can be established using the procedure noted above. We recommend that the traffic counts for Fairview Avenue be taken between Lotus Avenue and Rosemead Boulevard and for Lotus Avenue between Huntington Drive and Fairview Avenue. If the ADT increases by more than indicated on Table 1 over the established baseline for two consecutive monitoring periods, it would imply that the project was responsible for the increase.

Mr. David Shender
July 14, 2005
Page 4

TABLE 1

Existing Average Daily Traffic (ADT)	Allowable Project Related Increases in ADT (by percentage)
0 to 999	16% > ADT final
1,000 to 2,000	12% > ADT final
2,000 to 3,000	10% > ADT final
3,000 to 4,000	8% > ADT final

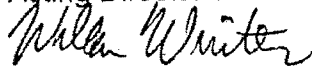
We recommend that the project applicant enter into a secured agreement with the County of Los Angeles Department of Public Works for a sum of \$25,000 as a guarantee for any traffic calming measures which may be needed to mitigate the increase in traffic resulting from their development. Public Works will hold the deposit for a period of 3 years, commencing on the date that the project opens for business. If traffic-calming measures are not deemed necessary by Public Works to mitigate traffic resulting from the project development at the end of the 3 years and after the final monitoring report is submitted, the deposit will be returned to the project applicant.

The project shall maintain adequate line of sight at all driveway locations and provide fire station flashing beacons and limit lines on Rosemead Boulevard.

If you have any questions regarding the review of this document, please contact Mr. Patrick Arakawa of our Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4867. For other questions regarding striping plans or cost estimates, please contact Mr. Matthew Dubiel at (626) 300-4862 or Mr. Sam Richards at (626) 300-4842.

Very truly yours,

DONALD L. WOLFE
Acting Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

PA:cn

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Enc.

cc: Caltrans (Cheryl Powell), Department of Regional Planning (Hsiao-Ching Chen)

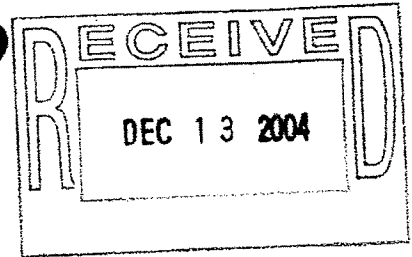


COUNTY OF LOS ANGELES

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December 7, 2004

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: PD-2

Mr. Mitchell Kauffman, President
Chapman Woods Association
P.O. Box 70524
Pasadena, CA 91117

Dear Mr. Kauffman:

ROSEMEAD BOULEVARD-I-210 TO CITY OF TEMPLE CITY BOUNDARY STATUS OF PROPOSED ROADWAY AND BEAUTIFICATION IMPROVEMENTS

At the request of Supervisor Michael D. Antonovich, I am providing you with the following status report on the proposed roadway and beautification improvements for Rosemead Boulevard between the subject limits. We are moving forward with preparation of the design plans for the proposed roadway improvements along this reach of Rosemead Boulevard. I have enclosed a copy of these plans for your information. The plans for the beautification improvements are still in the concept phase. It is anticipated that these improvements will include the hardscaping and landscaping of the center medians as well as the installation of trees along the parkway areas adjacent to Rosemead Boulevard. The proposed roadway improvements will not change the existing geometrics of the roadway of two lanes in each direction with curbside parking.

On February 18, 2004, State Senator Jack Scott introduced Senate Bill (SB) 1375 to initiate relinquishment of this portion of Rosemead Boulevard from the State Department of Transportation (Caltrans) to the local jurisdiction, the County. This bill authorizes the California Transportation Commission to relinquish to the County the specified portion of Rosemead Boulevard upon terms and conditions being agreed to by the State and the County. On September 9, 2004, SB 1375 was approved by the Governor and filed with the Secretary of State. It is to be effective January 1, 2005. On March 19, 2004, Caltrans provided an estimate of \$2.5 million to bring Rosemead Boulevard to a "state of good repair." Our estimate of the work that is needed is approximately \$8.8 million. As such, we are continuing our negotiations with Caltrans regarding the relinquishment and appropriate funding commitment. Discussions, though, have not proceeded as quickly as we thought they would.

We hope to reach an agreement with Caltrans soon so that we may complete the relinquishment of Rosemead Boulevard by spring 2005, followed soon thereafter by the proposed roadway and beautification improvements. In order to achieve this time frame, we may have to agree to accept the funding to bring the roadway to a "state of good repair" in a future year when funding for transportation projects may be more readily available.

Mr. Mitchell Kauffman
December 7, 2004
Page 2

The County of Los Angeles Department of Regional Planning, acting in the capacity of "Lead Agency," has filed a "Notice of Completion" of a draft Environmental Impact Report (EIR) for the commercial development project on the west side of Rosemead Boulevard between Huntington Drive and Fairview Avenue. A copy of the draft EIR is enclosed. The formal public review period for the draft EIR is from November 22, 2004, to January 5, 2005. Written comments on the draft EIR should be submitted to Dr. Hsiao-Ching Chen of the Department of Regional Planning at 320 West Temple Street, Los Angeles, California 90012. All comments received prior to the closing of the public hearing will be considered in the Final EIR. Additional information concerning this draft EIR may be obtained by contacting Mr. Kevin Johnson at (213) 974-6443.

We are doing everything possible to move forward with the relinquishment and the subsequent roadway and beautification improvements. Please contact me at (626) 458-3900 if you have any questions regarding this project.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works



PATRICK V. DECHELLIS
Assistant Deputy Director
Programs Development Division

SDS:yr

C050711
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Enc.

cc: Supervisor Michael D. Antonovich (Paul Novak)
Department of Regional Planning (Kevin Johnson)✓



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

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IN REPLY PLEASE
REFER TO FILE: T-4

June 10, 2004

Mr. David Shender, P.E.
Linscott, Law & Greenspan, Engineers
234 East Colorado Boulevard, Suite 400
Pasadena, CA 91101

Dear Mr. Shender

**KOHL'S COMMERCIAL DEVELOPMENT
TRAFFIC IMPACT STUDY (FEBRUARY 20, 2004)
ADDENDUM (MARCH 23, 2004)
CONDITIONAL USE PERMIT 03147
LOS ANGELES COUNTY**

As requested, we have reviewed the above-mentioned documents. The project site is located on the southwest corner of the intersection of Rosemead Boulevard at Huntington Drive in the unincorporated area of Los Angeles County.

The proposed project consists of the development of a 98,497-square-foot retail store with an 8,500-square-foot restaurant. The project site is currently occupied by 16,421 square feet of retail use, 2,400 square feet of office space, 7,004 square feet of dental office space, 13,075 square feet of restaurant use, and five single-family residential units. All the above-mentioned existing buildings will be demolished. The project is estimated to generate a net increase of approximately 2,659 vehicle trips daily, with 41 and 233 trips during the a.m. and p.m. peak hours, respectively.

Vehicular access for the project will be provided via two right-turn in and out only driveways on Huntington Drive. The north driveway on Rosemead Boulevard will also be restricted to right-turn in and out only. However, the proposed south driveway on Rosemead Boulevard for full inbound access is not acceptable. Please revise your site plan to show this driveway as restricted to right-turn in and out only. As you may know, the County is currently negotiating with Caltrans for their relinquishment of Rosemead Boulevard. If we are unable to reach an agreement with Caltrans prior to your development of the site, you will be required to obtain an encroachment permit from Caltrans. Therefore, please obtain Caltrans' input on your site plan.

Mr. David Shender
June 10, 2004
Page 2

Your site plan indicates that the existing driveway on Fairview Avenue will not be open to public. However, for the purpose of our traffic analysis, we must assume that it will eventually be used for general public purposes. Therefore, the project shall be required to design a traffic signal for the Rosemead Boulevard and Fairview Avenue intersection to our satisfaction. The developer shall also deposit an acceptable form of security with us for the cost of the signal's installation. The security will be used if and when the driveway gate is removed.

We agree with the study that the traffic generated by the project alone will significantly impact the following intersections. Detailed striping and/or signal plans shall be prepared and submitted to PW and Caltrans for review and approval.

Rosemead Boulevard at California Boulevard

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add an exclusive right-turn lane).

Modify traffic signals as necessary.

Rosemead Boulevard at Huntington Drive

West approach: Two left-turn lanes, four through lanes, and an exclusive right-turn lane (add an exclusive right-turn lane). The right-turn lane shall be 300 feet long. This appears to be feasible geometrically; however, the mitigation measure will require the removal of four parking spaces on the west. The feasibility of removing the parking spaces must be evaluated before this mitigation measure is accepted.

Modify traffic signals as necessary.

The cumulative traffic generated by the project and other related projects in the area will significantly impact the following intersections. The project shall submit a conceptual striping plan and cost estimate of the following mitigation measures for review and approval of the proposed mitigation measures. For locations where the removal of parking is required, a feasibility of removing the parking spaces must be evaluated before the proposed mitigation measure is accepted. The project shall contribute its proportionate share of the cost for the following mitigation measures.

Rosemead Boulevard at Foothill Boulevard (Project impact: 36.76 percent)

The proposed addition of a second left-turn lane for the south approach is not recommended since it would require the removal of the existing raised median. Rosemead Boulevard is classified as a major highway and the raised median is part of its fully improved cross section.

As indicated in the study, the intersection is included in the City of Pasadena's I-710 Freeway Gap Interim Mitigation Projects that will implement the Intelligent Transportation System (ITS) types of improvements. The project shall pay its pro-rata share of 5.6 percent toward the City's ITS projects for this intersection. The ITS projects at this intersection will mitigate the cumulative traffic impact to a level of less than significant.

The project shall consult with the City of Pasadena regarding the feasibility of this mitigation measure. Documentation of the consultation with the City shall be provided to PW.

Rosemead Boulevard at Colorado Boulevard (Project impact: 18.2 percent)

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add an exclusive right-turn lane). This proposal is feasible with the widening on the south side of Colorado Boulevard; however, the mitigation measure will require the removal of approximately five parking spaces. The feasibility of removing the parking spaces must be evaluated before this mitigation measure is accepted.

The project shall also pay its pro-rata share of 18.2 percent toward the City's ITS project for this intersection. The signal modification, along with the addition of an exclusive right-turn lane will mitigate the cumulative impact to a level of less than significant.

The project shall consult with the City of Pasadena regarding the feasibility of this mitigation measure. Documentation of the consultation with the City shall be provided to PW.

Rosemead Boulevard at Huntington Drive (Project impact: 18.9 percent)

East approach: Two left-turn lanes, four through lanes, and an exclusive right-turn lane (add an exclusive right-turn lane). This appears to be feasible geometrically; however, the mitigation measure will require the removal of four

parking spaces on east approaches. The feasibility of removing the parking spaces must be evaluated before this mitigation measure is accepted.

Modify traffic signals as necessary.

Rosemead Boulevard at Duarte Road (Project impact: 36.7 percent)

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add an exclusive right-turn lane). This appears to be feasible geometrically, however, the mitigation measure will require the removal of approximately four parking spaces. The feasibility of removing the parking spaces must be evaluated before this mitigation measure is accepted.

Modify traffic signals as necessary.

California Boulevard and Sunset Boulevard at Huntington Drive (Project impact: 25.6 percent)

West approach: One left-turn lane, four through lanes, and an exclusive right-turn lane (add an exclusive right-turn lane).

This improvement will require the elimination of curbside parking along the south side of Huntington Drive west of California Boulevard and Sunset Boulevard. The project shall coordinate with the City of Arcadia regarding the feasibility of this mitigation measure. Documentation of the consultation with the City shall be provided to PW.

Modify traffic signals as necessary.

In order to complete our review, a revised 40-foot-scale site plan shall be prepared and submitted to PW for review and approval:

- Adequate turning radius for a typical 18-wheeler trailer truck on-site at the project ingress driveways, at the loading areas, in the parking lot, and egress driveways. We recommend a minimum traffic index of 7.0 to be used along the truck route within the project site.
- We recommend employee parking to include the 22 parking spaces adjacent to the north driveway on Rosemead Boulevard.

Mr. David Shender
June 10, 2004
Page 5

- The Keep Clear Zone (including limit lines and "Keep Clear" pavement markings) should be located between the fire station driveway (south side) and project driveway north of the fire station driveway, as shown in the enclosed sketch. Flashers should be located just before the pavement markings in each direction of travel.
- The exact location of the fire station driveway on Rosemead Boulevard shall be indicated on the site plan.

A determination shall be made regarding whether the project has a significant impact on Rosemead Boulevard and Foothill (I-210) Freeway. Caltrans shall be consulted to obtain its written concurrence with the California Environmental Quality Act (CEQA) level of significance determination for its transportation facilities. If Caltrans finds that the project has a CEQA significant impact on its facility, Caltrans shall be requested to include the basis for this finding. If fees are proposed to mitigate the freeway impact, Caltrans shall be requested to identify the specific project to which the fees will apply. These written comments from Caltrans shall be included in the study and submitted to PW for review and approval.

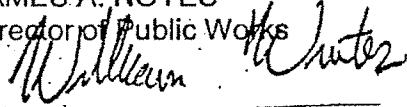
The Cities of Arcadia, Pasadena, San Gabriel, San Marino, and Temple City shall also be consulted to obtain their written comments with regard to potential project CEQA significant traffic impact on the transportation circulation system within their jurisdictions and for necessary mitigation measures to mitigate the project significant impacts. Written comments from each City shall be included in the revised study and submitted to PW for review and approval.

Mr. David Shender
June 10, 2004
Page 6

If you have any questions, please contact Mr. Suen Fei Lau of our Land Development Review Section at (626) 300-4709; for questions regarding striping plans, feasibility study, conceptual striping and cost estimates, please contact Mr. Sam Richards of our Land Development Review Section at (626) 300-4842; for questions regarding the removal of parking spaces, please contact Ms. Guita Sheik Traffic Investigation Section at (626) 300-4712; and for questions regarding traffic signal installation/modification, please contact Mr. Martin Amundson of our Traffic Systems Section at (626) 300-4774.

Very truly yours,

JAMES A. NOYES
Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

Enc.

JF:cn
EIR04072.doc

cc: Supervisor Michael D. Antonovich (Paul Novak)
Department of Regional Planning (Daryl Koutnik)

bc: Dean Efstathiou
Land Development (Witler)
Traffic and Lighting (Amundson, Richards, Sheik)



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

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ALHAMBRA, CALIFORNIA 91802-1460

July 15, 2003

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Witler
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. 03-147

We have reviewed the subject case in the East Pasadena area in the vicinity of southwest corner of Huntington Drive and Rosemead Boulevard. This case is for the construction of a two-story Kohl's Department Store and a new restaurant.

If this permit is approved, we recommend the following conditions:

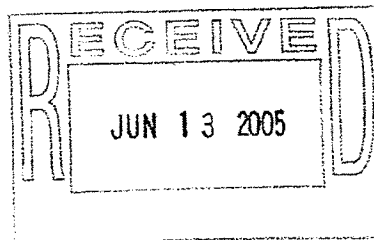
1. Dedicate the right to restrict vehicular access on Huntington Drive and Rosemead Boulevard along the property frontage.
2. Dedicate right of way 30 feet from centerline on Fairview Avenue. Five feet of additional right of way is required along a portion of Fairview Avenue.
3. Construct missing sidewalk on Fairview Avenue along the property frontage to the satisfaction of Public Works.
4. Reconstruct curb and gutter on Rosemead Boulevard at those areas where there are missing gutters along the property frontage to the satisfaction of Caltrans.
5. Close any unused driveways on Huntington Drive, Rosemead Boulevard, and Fairview Avenue with standard curb, gutter, and sidewalk to the satisfaction of Public Works and Caltrans.
6. Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement on Huntington Drive, Rosemead Boulevard, and Fairview Avenue to the satisfaction of Public Works and Caltrans.

7. Comply with the following street lighting requirements to the satisfaction of Public Works:
 - a. Provide street lights on concrete poles with underground wiring on Huntington Drive, Rosemead Boulevard, and Fairview Avenue. Street lighting plans must be approved by the Street Lighting Section.
 - b. Upon Conditional Use Permit approval, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of \$72,000. The applicant shall comply with the conditions of acceptance listed below in order for the Lighting Districts to pay for future operation and maintenance of street lights. The street lights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.
 - c. The area must be annexed into the Lighting District and all street lights in the project, or the current phase of the project, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.
8. Obtain an encroachment permit from Caltrans for any work on Rosemead Boulevard.
9. Submit a traffic study to Public Works for review and approval, and comply with mitigation measures identified in the approved traffic study to the satisfaction of Public Works.
10. Plant street trees on Huntington Drive and Fairview Avenue to the satisfaction of Public Works.
11. Underground all existing and new utility lines to the satisfaction of Public Works.

WH:ca
P:\LD\PUB\TRANS\CUPS\CUP 03-147 KOHL'S STORE.DOC

cc: Traffic and Lighting (Abdelhadi, Lau)

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
120 SO. SPRING ST.
LOS ANGELES, CA 90012
PHONE (213) 897-6536
FAX (213) 897-1337
E-Mail: NersesYerjanian@dot.ca.gov



*Flex your power!
Be energy efficient!*

Mr. Daryl Koutnik, Supervising Regional Planner
Regional Planning Office
Los Angeles County
320 West Temple Street
Los Angeles, CA. 90012

IGR/CEQA# 050578NY & 050604NY
Kohl's Commercial Project
LA/164,210/9.65,29.49

June 8, 2005

Dear Mr. Koutnik:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Kohl's Commercial Project (88,407 SF retail, 8,500 SF restaurant) in the Los Angeles County.

We have reviewed the project's Revised traffic study. Please make revisions indicated in red ink to reflect desired wording on pages (6 and 43 attachment) of the revised traffic study.

If you have any questions regarding this response, please call the Project Engineer/Coordinator Mr. Yerjanian at (213) 897-6536 and refer to IGR/CEQA # 050578NY and 050604NY.

Sincerely,

Cheryl J. Powell

IGR/CEQA Branch Chief

Regional Transportation Planning

"Caltrans improves mobility across California"

A secondary driveway on Rosemead Boulevard will be located north of the existing Northwoods Inn restaurant. The secondary driveway will provide access to a 26 space parking lot which will be primarily used by employees. Due to the existing raised median on Rosemead Boulevard, this driveway will accommodate right-turn ingress movements and right-turn egress movements only.

In addition to the site access improvements described herein, the project will install a traffic signal at the Rosemead Boulevard/Fairview Avenue intersection ⁶³ deemed ^{necessary} warranted by Caltrans, *and the County.*

EXISTING STREET SYSTEM

The following intersections were selected for analysis to evaluate the potential traffic impacts generated by the proposed project:

1. Rosemead Boulevard and Foothill Boulevard (City of Pasadena/County of Los Angeles and CMP monitoring location)
2. Rosemead Boulevard and Colorado Boulevard (County of Los Angeles)
3. Rosemead Boulevard and California Boulevard (County of Los Angeles)
4. Rosemead Boulevard and Huntington Drive (County of Los Angeles and CMP monitoring location)
5. Rosemead Boulevard and Duarte Road (County of Los Angeles)
6. Rosemead Boulevard and Longden Avenue (City of Temple City and County of Los Angeles)
7. Rosemead Boulevard and Las Tunas Drive (City of Temple City)
8. San Gabriel Boulevard and Huntington Drive (City of San Marino and County of Los Angeles)
9. California Boulevard/Sunset Boulevard and Huntington Drive (City of Arcadia)
10. Baldwin Avenue and Huntington Drive (City of Arcadia)
11. Rosemead Boulevard and Del Mar Boulevard (County of Los Angeles)
12. Rosemead Boulevard and Fairview Avenue (County of Los Angeles)

- California Boulevard/Sunset Boulevard
and Huntington Drive

PM peak hour: V/C ratio increase of
0.017

The future cumulative (existing, ambient growth, project and related projects) traffic volumes at the study intersections for the PM peak hour are displayed in Figure 12.

Cumulative Mitigation

The traffic analyses in the previous section determined that development of the cumulative development projects is anticipated to result in significant impacts at four intersections. The recommended traffic mitigation program developed for these projects includes physical roadway improvements and funding of traffic signal improvements. The following cumulative mitigation measures, as shown in Figure 13, are proposed:

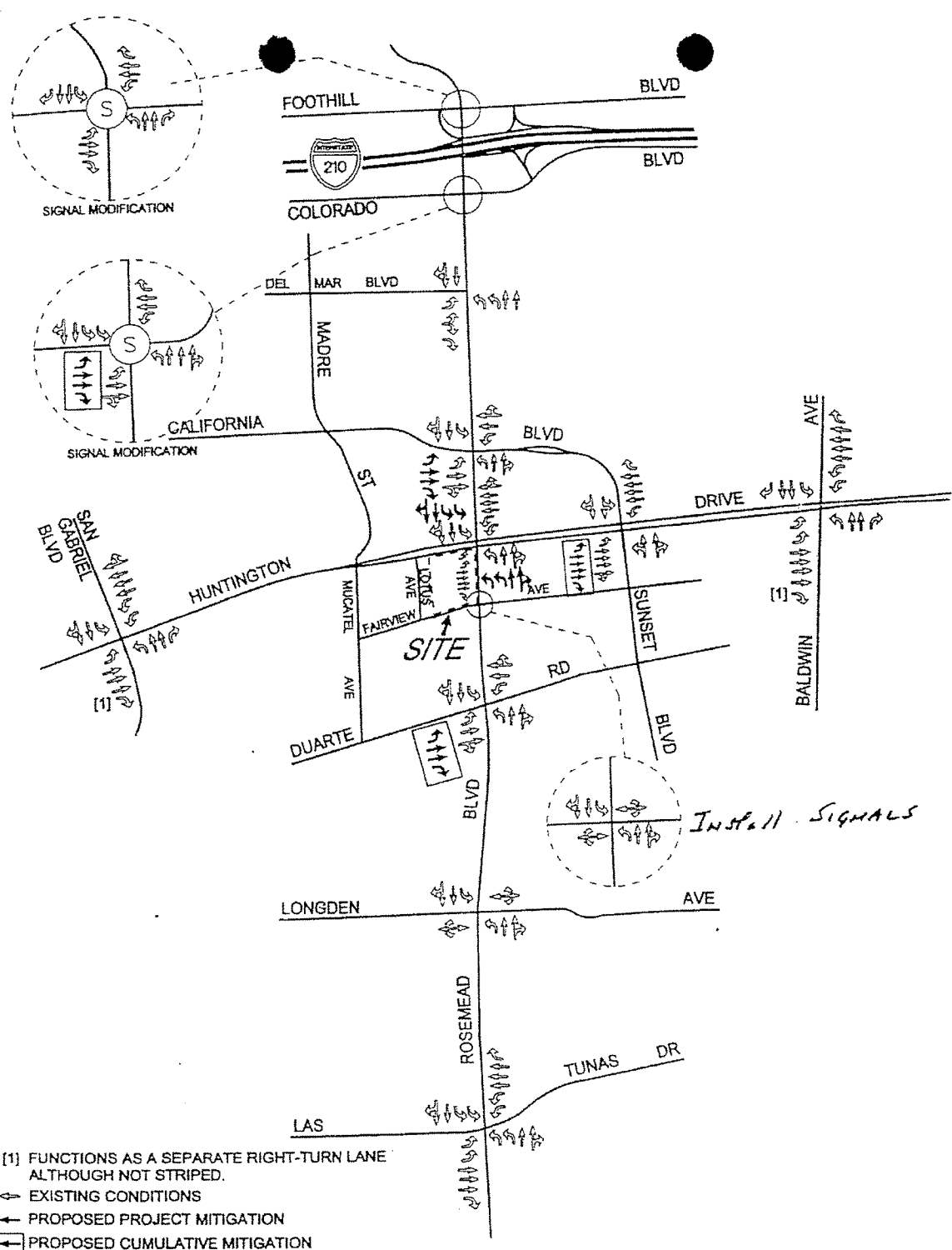
Rosemead Boulevard and Foothill Boulevard

Fifty percent (50%) of the Rosemead Boulevard and Foothill Boulevard intersection is located within the County of Los Angeles' jurisdiction. It is recommended that signal modifications would be required to include the Rosemead Boulevard and Foothill Boulevard intersection in the City of Pasadena and Los Angeles County Intelligent Transportation System (ITS). Signal modifications at the Rosemead Boulevard and Foothill Boulevard intersection are included in the City of Pasadena General Plan Mobility Element as part of the City's I-710 Freeway Gap Interim Mitigation Projects which proposes ITS on Rosemead Boulevard from the I-210 Freeway to Sierra Madre Villa Avenue. The I-710 Freeway Gap Interim Mitigation Projects have been approved by the City and are included in the City's Fiscal Year 2003 Capital Improvement Program.

The effectiveness of the mitigation measure were assessed through completion of the intersection capacity analyses which assume implementation of the recommended cumulative mitigation measure. As shown in Table 7, the proposed mitigation measure is anticipated to reduce the project's impact to less than significant levels.

Rosemead Boulevard and Fairview Avenue Signalize intersection.

c:\pob_rte\3347\4-q\113.dwg [DP 11:26:47 04/11/2005 red:ouez



**LINSCOTT
LAW &
GREENSPAN**



ENGINEERS NOT TO SCALE

FIGURE 13
CUMULATIVE MITIGATION
LANE CONFIGURATIONS
Kohl's Commercial Development Project

1-12-05

23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

SWC Rosemead Blvd & Huntington Dr.
San Gabriel 91725LICENSE TYPE: On-Sale

1. CRIME REPORTING DISTRICT

SGPD Jurisdiction unable to provide statistical data.

Reporting District: _____

Total number of reporting districts: _____

Total number of offenses: _____

Average number of offenses per district: _____

120% of average number of offenses: _____

Total offenses in district: _____

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 4800.11Population: 5077 / County Ratio 1: 1177Number of licenses allowed: 5Number of existing licenses: 4Undue concentration exists: Yes / NoLetter of public convenience or necessity required: Governing Body / Applicant

Three time publication required: Yes / No

Person Taking Application

Investigator

Supervisor

Over

01-12-05
09:31 AM**CENSUS TRACT INFORMATION BY CENSUS TRACT NUMBER**
where county is 19-LOS ANGELES and census tract is 4800.11**TOTAL: 9**

COUNTY	Census Tract	DO	License Num	On Sale Active	On Sale Pend	Off Sale Active	Off Sale Pend
19	4800.11	02	41886	Y	N	N	N
19	4800.11	02	52999	Y	N	N	N
19	4800.11	02	166495	N	N	Y	N
19	4800.11	02	225855	Y	N	N	N
19	4800.11	02	258415	N	N	Y	N
19	4800.11	02	281041	N	N	Y	N
19	4800.11	02	338831	N	N	Y	N
19	4800.11	02	377517	Y	N	N	N
19	4800.11	02	420539	N	N	N	Y
Totals				4	0	4	1

**FINDINGS OF FACT AND REGARDING THE FINAL ENVIRONMENTAL IMPACT
REPORT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR J. FOLEY
ENTERPRISES, INC. & WALLIS M. CLEARMAN TRUST
ZONE CHANGE NUMBER 03-147-(5)
CONDITIONAL USE PERMIT NUMBER 03-147-(5)**

INTRODUCTORY FINDINGS

Pursuant to Public Resources Code Section 21081 and California Code of Regulations, Title 14, Section 15091 ("**State CEQA Guidelines**"), no public agency shall approve or carry out a project where an Environmental Impact Report (the "**EIR**") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant impact on the environment (hereinafter, "**Finding 1**").
2. Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency (hereinafter, "**Finding 2**").
3. Specific economic, legal, social, technological or other considerations, make infeasible the mitigation measures or Project alternatives identified in the EIR (hereinafter, "**Finding 3**")

For those significant impacts that cannot be mitigated to below a level of significance, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant impacts on the environment.

The Board of Supervisors (the "**Board**") of the County of Los Angeles (the "**County**") hereby approves Conditional Use Permit Number 03-147-(5), adopts Zone Change Number 03-147-(5) (collectively "**the Project**") and certifies the Final EIR ("**FEIR**"), State Clearinghouse Number 2003111123, which consists of the Draft EIR (the "**DEIR**"), the Revised Project Description, Topical Responses, Responses to Comments, Revised Pages of the DEIR, and Revised Air Quality, Noise, and Traffic Analyses and other supporting documents, and finds that it has been completed in compliance with CEQA, was presented to the decision-making body of the County and the decision-making body reviewed and considered the information contained in the final EIR prior to certifying the FEIR and approving the Project. The FEIR reflects the independent judgment and analysis of the County and has been completed in compliance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) ("**CEQA**"), and the Board has received, reviewed, and considered the information contained in the FEIR, the application for the Project, all testimony at public hearings and submissions from public officials and others, departments of the County, the applicant, community associations, and other public agencies and all other information in the record prior to its approval of the Project.

Having received, reviewed and considered the foregoing information, as well as any and all other information in the record, the Board hereby makes findings pursuant to, and in accordance with, Section 21081 of the Public Resources Code.

Section 1 of these findings discusses those potential environmental impacts of the Project that were reviewed during the Initial Study process, but were found to be less than significant. Section 2 discusses those potential environmental impacts of the Project that are not significant. Section 3 discusses those potential environmental impacts that have been mitigated to a level of insignificance. Section 4 discusses those unavoidable environmental impacts that cannot be mitigated to a level of insignificance. Section 5 discusses those potential cumulative impacts that are not significant. Section 6 discusses those potential cumulative impacts that have been mitigated to a level of insignificance. Section 7 discusses those cumulative impacts that cannot be mitigated to a less than significant level. Section 8 discusses the potential growth-inducing impacts of the Project. Section 9 discusses the alternatives to the Project as discussed in the FEIR. Section 10 contains findings regarding the Mitigation Monitoring Program. Section 11 contains the Statement of Overriding Considerations. The findings set forth in each section are supported by substantial evidence in the record of the approval of the Project.

In accordance with the provisions of CEQA and the State CEQA Guidelines, the County adopts these findings as part of its certification of the FEIR for the Project.

BACKGROUND

In May 2003, the applicant applied for the following Project approvals: (1) a zone change from C-1 (Restricted Business), C-2 (Neighborhood Business), C-H-DP (Commercial Highway, Development Program) and R-3 (Limited Multiple Residence) to C-2DP (Neighborhood Business, Development Program) and (2) a conditional use permit for a 30-foot tall (originally 45-foot high) department store and the relocation and expansion of the existing Galley restaurant including the sale of a full line of alcoholic beverages for on-site consumption.

A Notice of Preparation was circulated from November 24, 2003 to December 31, 2003. The DEIR was circulated for public review and comment from November 22, 2004 until January 5, 2005.

The original project included a two-story, 45-foot tall, 98,500 square foot department store building with associated deviation from the East Pasadena-Santa Gabriel community standards district height limitation. The existing Galley restaurant was proposed to be relocated along Rosemead Boulevard in a new 8,500 square foot building. The existing Northwood Inn restaurant, which is approximately 14,060 square feet, would remain in its present location.

In response to comments from the public, the Project design was revised to lower the height of the building to 30 feet, to reduce the floor area of the building to approximately 88,407 square feet, to alter the access driveway configuration, and to relocate the Galley restaurant farther south along Rosemead Boulevard. Revised air quality, noise and traffic analyses were prepared to analyze possible impacts of the revised project.

The revised project description was distributed for review, beginning on June 2, 2005, by the County to each individual, group or agency that submitted written comments to the DEIR and to

all parties who had requested to be on the Project notification list. The document was available to any member of the public who requested it and at local libraries.

The Board held a public hearing on the Project on April 18, 2006. The Board eliminated the Fairview Avenue driveway, made the traffic signal at the Rosemead Boulevard/Fairview Avenue intersection contingent upon future traffic analyses demonstrating need, and reduced the size of the proposed retail store to 80,000 square feet.

The elimination of the Fairview Avenue driveway and the contingency of the traffic signal at the Rosemead Boulevard/Fairview Avenue intersection do not result in any new or additional significant impacts. (See March 16, 2006 Traffic Analysis Memo prepared by Linscott, Law and Greenspan, FEIR, Appendix C). Although the Rosemead Boulevard/Fairview Avenue traffic signal is not a measure required to mitigate any traffic impacts generated by the Project, the applicant has agreed to design a potential traffic signal and deposit an acceptable form of surety with the County Department of Public Works, Traffic and Lighting Division for the cost of future installation of this signal, if warranted.

Recirculation of the DEIR was not required because none of the conditions described in State CEQA Guidelines Section 15162 calling for the preparation of a subsequent or supplemental EIR have occurred nor have any of the conditions described in State CEQA Guidelines Section 15088.5. No significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to avoid or mitigate such an effect (including a feasible project alternative) that the project's proponents declined to implement was added to the EIR, including without limitation: no new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented; no substantial increase in the severity of an environmental impact; no considerably different feasible project alternatives or mitigation measure considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the project which the proponents declined to adopt; nor was the DEIR so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. The new information added to the EIR merely clarified, amplified or made insignificant modifications to the adequate DEIR.

The County Regional Planning Commission (the **"Commission"**) conducted Public hearings on January 19, 2005, July 20, 2005 and September 28, 2005. Subsequently, the Board conducted a public hearing on April 18, 2006.

THE FEIR

An Initial Study was prepared for the Project. Impact areas identified by the Initial Study as potentially significant were: Air Quality, Solid Waste, Environmental Safety, Traffic and Noise.

The DEIR for the Project was prepared in accordance with CEQA, and the State and County guidelines for the implementation of CEQA. The County has relied on Section 15084(d)(3) of the State CEQA Guidelines, which allows acceptance of a DEIR prepared by the applicant, consultants retained by the applicant or any other person. The County, has analyzed, reviewed

and edited the DEIR sent out for public review and FEIR. The DEIR sent out for public review and FEIR reflect the County's independent judgment.

Pursuant to Sections 15200 through 15205 of the State CEQA Guidelines, the DEIR was circulated for public and agency review from November 22, 2004 to January 5, 2005. A notice of availability of the DEIR was published in the local newspapers, posted on the Project site, and was distributed to known interested individuals and organizations. Copies of the DEIR were available at the Department of Regional Planning and in local public libraries during the 45-day review period.

Public hearings regarding the Project were conducted by the Commission on January 19, 2005, July 20, 2005 and September 28, 2005 and Board on April 18, 2006. At the close of the public hearing on April 18, 2006, the Board indicated its intent to certify the FEIR and approve the Project (as revised) and directed its staff to prepare the appropriate findings. On July 18, 2006, the Board certified the FEIR, adopted these findings and a zone change resolution, and approved the Project.

SECTION 1 - POTENTIAL ENVIRONMENTAL IMPACTS THAT WERE DETERMINED TO BE LESS THAN SIGNIFICANT DURING THE INITIAL STUDY PROCESS

Upon completion of the Initial Study process, the determination was made that analyses of geotechnical and mineral resources; flood; public services; water quality; biological, cultural and agricultural resources; visual qualities; sewage disposal and utilities; education; land use and population, housing, and employment were not required in the EIR.

1.1 GEOTECHNICAL AND MINERAL RESOURCES

The Project is located on a previously developed, commercial property. There are no unique landforms, soils, or minerals beneath the Project Site. There has been no indication that unstable or expansive soil is located beneath the Project Site. Therefore, it was determined that further analysis was not necessary.

1.2 FLOOD

The Project Site is not located within a known area of flood hazard. Therefore, it was determined that further analysis was unnecessary.

1.3 PUBLIC SERVICES

Based on the fact that the Project is similar to existing development on the Project Site and will not substantially increase the need for community services, it was determined that no further analysis was necessary.

1.4 WATER QUALITY

The Project Site has been developed since approximately the 1950s and can be considered approximately one hundred percent impervious. The Project would not result in an increase in

quantity or decrease in quality of surface water at the Project Site and will comply with all current water quality standards. Therefore, it was determined that no further analysis was necessary.

1.5 BIOLOGICAL RESOURCES

The Project Site has been developed since approximately the 1950s and can be considered essentially one hundred percent impervious. Due to the impervious nature of the Site, the length of time this condition has existed, and previous Project Site development, there are no known substantial biological resources on the Project Site. Therefore, it was determined that no further analysis was necessary.

1.6 CULTURAL RESOURCES

There are no known cultural resources on the Project Site and no indication that any resource will be uncovered. Therefore, it was determined that no further analysis was necessary.

1.7 AGRICULTURAL RESOURCES

The Project Site has been developed since approximately the 1950s and there are no agricultural resources on the Project Site. Therefore, it was determined that no further analysis was necessary.

1.8 VISUAL QUALITIES

The Project Site has been developed since approximately the 1950s and is located within the developed San Gabriel Valley. There are no identified significant views in the area. The Project is consistent with the existing retail and commercial development on surrounding properties and with the commercial zoning of the properties. Therefore, it was determined that no further analysis was necessary.

1.9 SEWAGE DISPOSAL AND UTILITIES

The Project Site has been developed since approximately the 1950s. Services are currently provided to the Project Site. The Project is anticipated to replace existing development at the Site and will continue to utilize those services. The size and development under the Project is consistent with service provision anticipated for the Project area. Therefore, it was determined that no further analysis was necessary.

1.10 EDUCATION

The Project does not include a residential component that would generate demand for local educational facilities. Therefore, it was determined that no additional analysis was necessary.

1.11 LAND USE

The Project consists of retail and restaurant uses consistent with existing development at the Site and surrounding properties. The required discretionary actions do not conflict with any

applicable local or regional land use policies as the proposed use is considered a neighborhood serving use. Therefore, it was determined that no additional analysis was necessary.

Current zoning on the project site includes C-1 (Restricted Business), C-2 (Neighborhood Business), C-H-DP (Commercial Highway Development Program), and R-3 (Limited Multiple Residence) which would allow for the continued use of the property for commercial or retail purposes. The DEIR incorrectly referred to the General Plan Designation as Major Commercial. As corrected in the revised project description of June 2, 2005 and clarified in the Staff Report prepared for the July 20, 2005 Planning Commission hearing, the General Plan designation for the project site is Medium Density Residential.

The General Plan recognizes that local commercial uses existed within residentially-designated areas including Medium Density Residential, at the time the General Plan was adopted, and specifically allows further development and expansion of those local commercial uses. See Countywide General Plan, page III-22. According to the General Plan, local commercial may be developed within residentially designated areas including “(1) Facilities providing neighborhood or community convenience goods and services...(3) Local community/neighborhood-serving office and professional services”.

The General Plan does not include a specific definition for local, community or neighborhood commercial services. The Urban Land Institute’s Shopping Center Development Handbook (“ULI Handbook”) states that a Community Shopping Center generally consists of a “leading tenant” which is a “junior department store, large variety, discount or department store.” In addition, definitions from the American Planning Association state that “discount department stores” are common anchors of Community Shopping Centers.

The ULI Handbook states that the area of such a store is typically 150,000 square feet, with a general range of 100,000 to 450,000 square feet. The revised project, at 80,000 square feet, is less than these parameters. The ULI Handbook states that usual minimum lot size of a Commercial Shopping Center is 10 to 30 acres. The project site is only 8.1 acres. Therefore, the Project is consistent with general standards relating to community-serving facilities in terms of floor space and site acreage.

Furthermore, the Project complies with the General Plan guidelines governing the general location, scale, design and circulation characteristics for local commercial land uses such as those proposed. See Countywide General Plan, pages III-35, III-36 and III-37. For example, the Project Site is easily accessible, and is situated at a major intersection and established neighborhood shopping facility. The overall scale and intensity of the Project’s commercial uses are generally in keeping with the surrounding neighborhood. Indeed, the Galley and North Woods Inn restaurants have been part of the neighborhood for many years. Because the height of Kohl’s building is 30-feet, the Project also complies with the East Pasadena-San Gabriel Community Standards District.

As a result, the Project is consistent with the General Plan and will result in a less than significant land use impact.

1.12 POPULATION/HOUSING/EMPLOYMENT

The Project does not include a residential component that would introduce a significant number of people into the project area. While the Project would create a number of employment opportunities, these jobs are primarily replacement of jobs already existing on the Site. Therefore, it was determined that no additional analysis was necessary.

SECTION 2 - POTENTIAL ENVIRONMENTAL IMPACTS THAT ARE NOT SIGNIFICANT (NO MITIGATION REQUIRED)

2.1 AIR QUALITY: OPERATION

Please refer to DEIR, Section IV.A pp. 19-33 and FEIR, Section V, pp. 21-37 for an analysis of Project impacts to operational air quality.

Potential Effects And Rationale Supporting Finding:

A project would be considered to have a significant impact on air quality if it were to conflict with or obstruct implementation of the applicable air quality plan ("AQMP"). The applicable air quality plan for the project area is the AQMP administered by the Southern Coast Air Quality Management District ("SCAQMD"). This plan anticipates some continued growth in the San Gabriel Valley area and accounts for the fact that residential growth generates a demand for commercial goods and services. Therefore, the Project is consistent with the applicable AQMP as it is comparable to the existing commercial use of the project site.

A CO hot spot analysis was conducted at all major intersections in the project vicinity which concluded that the Project would result in a less than significant operational air quality impact as a result of concentrated values of carbon monoxide. Furthermore, future levels of carbon monoxide during build-out conditions are predicted to decline as vehicular improvements exceed the rate of traffic and congestion growth. Therefore, air quality impact resulting from Project-related traffic will not violate any established air quality standards, or contribute substantially to an existing or projected air quality violation.

The Project will not result in an operational air quality impact due to the creation of objectionable odors because there are no odor emissions associated with the proposed department store. The Project's two restaurants are a continuation of the existing uses on the project site and any potential odors will not be substantially different from existing conditions at the Project site. Furthermore, compliance with SCAQMD rules will reduce any potential emissions to a less than significant level.

Finding:

For the foregoing reasons, the operation of the Project will have a less than significant impact on air quality.

2.2 SOLID WASTE/ENVIRONMENTAL SAFETY—CONSTRUCTION NON- HAZARDOUS WASTE

Please refer to DEIR Section IV.D, pp. 98-110 and FEIR Section V, pp. 106-115 for an analysis of potential Project impacts resulting from non-hazardous waste from construction.

Potential Effects And Rationale Supporting Finding:

A significant impact to solid waste disposal facilities would occur if the Project would generate more than one percent of the forecasted cumulative increase into major County of Los Angeles solid waste facilities between 2000 and 2015; would not be served with a landfill with sufficient capacity to accommodate the Project's solid waste disposal needs; or the Project would not comply with federal, state and local statutes and regulations related to solid waste.

The combination of both the demolition and construction phase waste would result in the total of approximately 3,650 tons of solid waste, approximately 50 percent of which must be recycled. The remainder of the debris will be disposed of in a landfill. Assuming a nine-month construction period, this would result in an average generation of 16.9 tons per day of waste. Based on a forecasted increase of 40,000 tons per day of waste by 2015, or 5,500 per day over 2000 generation rates (FEIR, Section V, p. 112), Project-generated construction solid waste would result in an increase of approximately 0.3 percent per day which is well below the threshold of significance of one percent. The Puente Hills Landfill can accommodate this solid waste for the next nine years. The project shall comply with applicable regulations, including County Code Section 20.87. Therefore, the Project will not exceed the thresholds of significance for solid waste and will result in a less than significant solid waste impact due to construction activities.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant impacts to solid waste disposal during construction.

2.3 SOLID WASTE/ENVIRONMENTAL SAFETY—OPERATIONAL NON- HAZARDOUS WASTE

Please refer to DEIR Section IV.D, pp. 98 to 110 and FEIR Section V, pp. 106-115 for an analysis of potential project impacts to non-hazardous waste from operation of the Project.

Potential Effects And Rationale Supporting Finding:

Development at the Project Site currently generates approximately 727 pounds per day of solid waste. The Project is estimated to generate a maximum of approximately 560 pounds per day of solid waste. This amounts to a decrease of approximately 167 pounds of solid waste per day or approximately 26 tons per year. The Puente Hills Landfill that currently serves the Project Site will have sufficient permitted capacity to accommodate the Project's solid waste disposal needs.

The waste disposal service for the Project Site holds 15-year service guarantees with two other landfills in case the Puente Hills landfill is closed. Moreover, the County's program of diverting a minimum of 50 percent of the solid waste generated Countywide will further reduce the amount of solid waste transported to landfills.

Even though the Project's impact is less than significant, the applicant will be required to comply with the following mitigation measures to further reduce impacts:

- Provision of space and/or bins at each of the three building sites for storage of recyclable materials.
- Establishment of a recyclable material pick-up area for the retail and restaurant buildings (i.e., loading docks, etc.).
- Establish a recyclable material bi-weekly pick-up and request that all three tenants participate in this program.
- Development of a plan for accessible collection of materials on a regular, weekly basis (may require establishment of a private pick-up depending on availability of County sponsored programs).
- Prior to the issuance of a Certificate of Occupancy, the applicant must demonstrate to the satisfaction of the Department of Regional Planning and the Department of Public Works a program to purchase recycled materials used in association with the proposed Project (paper, newsprint, etc.) which may include demonstration that suppliers use at least 10% recyclable materials. The amount of recyclable content should be established by the State Recycling Board standards and include materials such as glass, cardboard and paper.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant impacts to solid waste disposal from operation of the Project.

2.4 SOLID WASTE/ENVIRONMENTAL SAFETY: OPERATIONAL HAZARDOUS WASTE

Please refer to DEIR Section IV.D. pp. 98-110 and FEIR, Section V, pp. 106-115 for an analysis of potential project impacts to potential project impacts to solid waste/environmental safety.

Potential Effects And Rationale Supporting Finding:

No hazardous waste is anticipated to be generated during Project operation.

Finding:

For the foregoing reasons, the Project will have a less than significant impact on disposal of operational hazardous waste.

SECTION 3 - POTENTIAL ENVIRONMENTAL IMPACTS THAT HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE

3.1 AIR QUALITY: CONSTRUCTION

Please refer to DEIR Section IV.A. pp. 19-35 and FEIR, Section V, pp. 21-37, for an analysis of potential Project impacts to air quality.

Potential Effect and Rationale for Finding:

During the construction phase of the Project, activities such as site preparation and construction will result in equipment exhaust generated primarily by diesel burning equipment. Site preparation work that will generate exhaust includes demolition of existing buildings and grading of the Site. Construction activities that will generate exhaust include concrete work, erection of buildings, and finishing work.

Short-term construction activity emissions were calculated for a variety of activity phases based upon equipment mixes provided by a construction contractor expected to bid on the demolition and site construction. The construction activity fleet mix for potentially independent phases is on pg. 30 of the FEIR. Emissions associated with each phase, plus fugitive dust from soil disturbance, were calculated using the URBEMIS2002 computer model. The model predicts that approximately 4.9 acres of the entire 8.1 acre site could be under surface disturbance during the grading phase. This estimate was confirmed by the contractor, John Koenig. (FEIR, p. 30.)

As shown on Table 7 on pg. 31 of the FEIR, all peak activity emissions will be below SCAQMD established thresholds with the exception of ROG emissions during building assembly, primarily a result of paving and the application of paint and architectural coatings. However, the emission estimate assumes a worst-case scenario in which asphalt paving and painting occur at the same time when in fact they could occur separately. Furthermore, with the incorporation of the proposed mitigation measures such as requiring that these two activities do not take place at the same time as well as the use of high-efficiency equipment, impacts to air quality during construction of the Project will be reduced to a less than significant level.

The SCAQMD CEQA Handbook identifies various secondary significance criteria related to toxic, hazardous or odorous air contaminants. Hazardous air contaminants (such as asbestos) may be contained in older structures that will be demolished prior to construction of the Project. Any demolition or renovation requires a pre-construction hazards assessment. If such materials are present, particularly asbestos, a number of strictly regulated remediation procedures must be implemented.

Based on building records available with the County, buildings on the Project Site have been located there since approximately the 1950s. Although asbestos and/or asbestos containing materials (ACM) have not been identified as a hazardous material issue at the Project Site, due to the age of buildings on the Project Site, the potential for asbestos does exist. Therefore, the Project could result in a significant air quality impact due to asbestos. However, with incorporation of the proposed mitigation measures, demolition and construction on the Project Site is restricted prior to appropriate stabilization or removal of such ACM materials. Therefore,

with incorporation of mitigation, the Project will result in a less than significant air quality impact due to hazardous airborne materials.

Required Mitigation Measures:

The following required mitigation measures will reduce air quality impacts associated with implementation of the Project to less than significant levels:

- Standard measures as required by South Coast Air Quality Management District Rule 403 shall be implemented to control fugitive dust emissions during construction. Those actions include best available control measures (BACMs) including: limit the simultaneous disturbance area to as small an area as practical; water all active construction areas at least twice daily; cover all haul trucks or maintain at least two feet of freeboard; pave or apply water four times daily to all unpaved parking or staging areas; sweep or wash any site access points within 30 minutes of any visible dirt deposition on any public roadway; cover or water twice daily any on-site stockpiles of debris, dirt or other dusty material; suspend all operations on any unpaved surface if winds exceed 25 mph; hydroseed or otherwise stabilize any cleared area which is to remain inactive for more than 96 hours after clearing is completed; use pre-coated building materials; use high pressure-low volume (HPLV) paint applicators; use lower volatility paint; and spread out the application over a long period.
- On-site equipment shall be maintained in good tune. Any heavy, diesel-powered, off-road equipment brought on-site shall have evidence of a low NOx tune-up within 90 days of use as a condition of any Project demolition or grading permit.
- Prohibit truck or off-road equipment idling for more than five minutes consistent with state law.
- Configure construction personnel and equipment parking to minimize on-street traffic interference.
- Provide temporary traffic controls such as a flag person to maintain smooth traffic flow at points of public street access.
- Schedule trucking activities to non-peak traffic hours, where feasible.
- Provide dedicated truck turn and acceleration lanes, if feasible.
- Route construction truck traffic away from residences or other sensitive receptors.
- Use electric power from poles rather than on-site generators, where feasible.
- Give preferential consideration to contracts that include clean-diesel or alternate fueled vehicles in a portion of their construction fleet, including oxidation catalysts, soot traps and/or engine retrofit technologies.

- Site paving and application of exterior paint and architectural coatings shall not occur at the same time.
- High efficiency equipment such as paint sprayers shall be used on-site where feasible.
- Due to the age of the buildings being demolished, asbestos-containing materials (ACM) may be located in the structures. Prior to the issuance of a demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it shall be abated in compliance with the SCAQMD's Rule 1403 and other state and federal rules and regulations.

Finding:

For the foregoing reasons, the Board adopts Finding 1.

3.2 TRAFFIC AND CIRCULATION

Please refer to DEIR Section IV.C, pp. 54-97 and FEIR Section V, p. 59-106 for an analysis of potential project traffic impacts.

A. COUNTY AND ADJACENT CITIES

1. Methodology

Traffic Counts

Manual counts of current vehicular turning movements were conducted during May 2003 at the Rosemead Boulevard and Huntington Drive intersection, during the morning (AM) commuter period and at 10 of the 12 study intersections during the afternoon (PM) commuter periods. Vehicular turning movements at the Rosemead Boulevard and Fairview Avenue intersection were conducted in July 2003 with the through movements on Rosemead Boulevard obtained from adjacent counts. Manual counts of vehicular turning movements were conducted in March 2004 at the Rosemead Boulevard and Del Mar Boulevard intersection during the afternoon (PM) commuter period. The manual counts were conducted at the Rosemead Boulevard and Huntington Drive intersection from 7:00 am to 9:00 am and at all 12 study intersections from 4:00 pm to 6:00 pm. Traffic volumes at the study intersections show the typical peak periods (i.e., between 7:00 am and 9:00 am and between 4:00 pm and 6:00 pm).

The AM peak hour count at the Rosemead Boulevard and Huntington Drive intersection and the PM peak hour manual counts at the study intersections are summarized in Table 24: Existing Traffic Volumes, FEIR, p. 60. The existing traffic volumes at the study intersections during the PM peak hour are shown in Figure 12: Existing Traffic Volumes PM Peak Hour, FEIR, p. 70.

Project Trip Generation

Traffic volumes forecast from the Project during the AM and PM peak hours, and over a 24-hour daily period, were estimated using accepted generation rates published in the Institute of

Transportation Engineers' (ITE) Trip Generation Manual, 6th Edition, 1997. Trip credits were taken into account based on existing occupied retail, restaurant, office, and residential uses as of May 2003. Trip generation anticipated for the Project is summarized in Table 27: Net New Project Trip Generation, FEIR, p. 73.

As shown in Table 27: Net New Project Trip Generation, the Project is expected to generate a net new 68 vehicle trips (38 new inbound and 30 new outbound) during the AM peak hour, a net new 286 vehicle trips (149 new inbound and 137 new outbound) during the PM peak hour, and a net new 3,164 daily trip ends during a typical weekday (1,582 new inbound and 1,582 new outbound trips) over a 24-hour period.

Project traffic was assigned to the local roadway system based on a traffic distribution pattern which reflected the Project land use and site access schemes, existing traffic movements, characteristics of the surrounding roadway system, and nearby regional population and employment center.

The study intersections were evaluated using the Intersection Capacity Utilization (ICU) method of analysis. This method determines Volume-to-Capacity (V/C) ratios on a critical lane basis. The overall intersection V/C ratio is subsequently assigned a Level of Service (LOS) value to describe intersection operations. The LOS varies from LOS A (free flow) to LOS F (jammed condition).

The capacity analysis procedures were utilized to evaluate the future V/C relationships and service level characteristics at each study intersection. The ICU calculations use a lane capacity of 1,600 vehicles per hour (vph) for left-turn, through and right-turn lanes, and a dual turn lane capacity of 2,880 vph. A clearance interval of 0.10 is also included in the ICU calculations.

The Project traffic distribution percentages forecast for the study intersections are provided in Figure 13: Project Trip Distribution, FEIR, p. 74. The forecast Project traffic volumes at the study intersections for the PM peak hours are displayed in Figures 14: Project Traffic Volumes AM Peak Hour and 15: Project Traffic Volumes PM Peak Hour, respectively, FEIR, pp. 75-76.

2. County of Los Angeles

County of Los Angeles Impact Criteria

For the 12 study intersections, the significance of the Project-generated traffic impacts was identified using the traffic impact analysis guidelines set forth in the County of Los Angeles Department of Public Works' "Traffic Impact Analysis Report Guidelines", January, 1997. See FEIR, p. 71. An impact is considered significant if the Project-related increase in the V/C ratio equals or exceeds the following thresholds:

<u>Pre-Project V/C</u>	<u>LOS</u>	<u>Project-Related Increase in V/C</u>
>0.700-0.800	C	Equal to or greater than 0.04
>0.800-0.900	D	Equal to or greater than .02

>0.900

E-F

Equal to or greater than .01

County of Los Angeles Traffic Analysis

As shown in Table 28: Summary of Project Volume to Capacity Ratios and Levels of Service AM and PM Peak Hours, FEIR, p. 78, 7 of 12 study intersections are presently operating at LOS D or better during both the PM peak hours under existing conditions. The following five study intersections are operating at LOS E or worse:

- Rosemead Blvd and Colorado Blvd PM peak hour: 0.944 (LOS E)
- Rosemead Blvd and Huntington Dr AM peak hour: 0.938 (LOS E);
PM peak hour: 0.921 (LOS E)
- Rosemead Blvd and Las Tunas Dr PM peak hour: 0.905 (LOS E)
- San Gabriel Blvd and Huntington Dr PM peak hour: 0.917 (LOS E)
- California Blvd/Sunset Blvd and Huntington Drive PM peak hour: 1.035 (LOS F)

The ambient growth factor was assumed to be 0.7% per year through year 2006. As shown in Table 28: Summary of Project Volume to Capacity Ratios and Levels of Service AM and PM Peak Hours, 9 of the 12 study intersections are expected to continue operating at LOS D or better during the AM and PM peak hours with the addition of ambient growth traffic. The Los Angeles County Department of Public Works has completed a signal synchronization system along Huntington Drive from San Gabriel Boulevard (City of San Gabriel) to 5th Avenue (City of Monrovia). As a result, future V/C ratios for the study intersections along the Huntington Drive signal synchronization corridor were reduced by 0.07, as directed by Los Angeles County Department of Public Works, Traffic and Lighting Division, to reflect the capacity improvements caused by the signal synchronization system. The following three study intersections are expected to operate at LOS E or worse by 2006:

- Rosemead Blvd and Colorado Blvd PM peak hour: 0.962 (LOS E)
- Rosemead Blvd and Las Tunas Dr PM peak hour: 0.922 (LOS E)
- California Blvd/Sunset Blvd and Huntington Dr PM peak hour: 0.985 (LOS E)

As shown in Table 28: Summary of Project Volume to Capacity Ratios and Levels of Service, application of the County of Los Angeles' threshold criteria to the "with Project conditions" indicates that significant traffic impacts are anticipated under the Project at the following two study intersections:

- Rosemead Blvd and California Blvd PM peak hour V/C increase of 0.016
- Rosemead Blvd and Huntington Dr PM peak hour V/C increase of 0.030

Required Mitigation to be Performed Under the County and CalTrans Jurisdiction

Pursuant to State CEQA Guidelines § 15091(a)(1) and (2), the traffic mitigation measures listed are within the joint responsibility and jurisdiction of the County and CalTrans and can and should be adopted. However, in the event that CalTrans does not approve the proposed traffic mitigation, a significant and unavoidable traffic impact may result from the project.

- *Rosemead Boulevard & California Boulevard.* Restripe the east and west legs of California Blvd at Rosemead Blvd intersection to provide an exclusive right-turn only

lane on the eastbound approach and all necessary signal modifications. To accommodate this 12-foot wide eastbound right-turn lane, the curb lane on the north side of California Blvd will be reduced from 13-feet to 12-feet wide and the eastbound and westbound through lanes will be reduced from 11-feet to 10-feet. The existing curb lane on the south side of California Blvd will become 22-feet wide to accommodate a 10-foot through lane and a 12-foot right-turn lane.

- *Rosemead Boulevard and Huntington Drive.* Modifying of the northbound and southbound approaches to provide two left-turn lanes at each approach. To accommodate the proposed dual left-turn lanes, the existing median will be modified and the roadway striping will be adjusted as needed. The mitigation will result in the removal of existing curbside parking spaces as follows: approximately twelve parking spaces on the northbound approach, approximately thirteen parking spaces on the southbound approach, and approximately thirteen parking spaces along the southbound departure. This will not result in any secondary impacts to parking. See Parking Demand Analysis.

Finding:

For the foregoing reasons, the Board adopts Finding 1.

3. Adjacent Cities

City of Pasadena Impact Criteria

The significance of the potential impacts of Project-generated traffic at the Rosemead Boulevard and Foothill Boulevard study intersection in the City of Pasadena was identified using criteria set forth in the City of Pasadena's Preparation Guide for Traffic Impact Reports, July, 1999, as well as the County of Los Angeles significant impact criteria. According to Pasadena's Sliding Scale Method for calculating the level of impact, a significant traffic impact is determined based on the sliding scale criteria shown in Table 26: City of Pasadena Intersection Impact Threshold Criteria, FEIR, p. 71. Pasadena's Sliding Scale Method requires mitigation of project traffic impacts whenever traffic generated by the proposed development causes an increase of the analyzed intersections V/C ratio by an amount equal to or greater than the values shown in Table 26: City of Pasadena Intersection Impact Threshold Criteria, DEIR.

City of Temple City, City of San Marino, and City of Arcadia Impact Criteria

The significance of the potential impacts of traffic at study intersections located in the Cities of Temple City, San Marino, and Arcadia was evaluated using traffic impact criteria for each of these cities. According to the significance threshold, which is similar for these cities, a significant transportation impact would occur at a study intersection located when the Project-related increase in the V/C ratio is equal to or greater than 0.020 where a final V/C ratio of at least 0.901 (LOS E or F) results.

Analysis

Level of Service calculations were prepared for six study intersections located in the Cities of Pasadena, Temple City, San Marino, and Arcadia.

As shown in Table 31: Summary of Volume to Capacity Ratios and Levels of Service AM and PM Peak Hours (City Methodology), FEIR, p. 89, although three city study intersections are currently operating at LOS E and two intersections are expected to operate at LOS E or worse in the future, the Project-related increase in the V/C ratio is less than .020 for all intersections. Thus, Project impacts are not anticipated at study intersections within the Cities of Pasadena, Temple City, San Marino, and Arcadia.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant traffic impacts within the City of Temple City, City of San Marino, and City of Arcadia.

4. Local Neighborhood Traffic Issues

The site access scheme includes Project driveways on both Huntington Drive and Rosemead Boulevard to encourage Project-related trips to utilize these major thoroughfares in traveling to and from the site. An existing driveway along Fairview Avenue will be closed. An analysis of the local streets was also completed.

Fairview Avenue, Lotus Avenue, and Muscatel Avenue

Local streets to the west of the Project Site are primarily residential in nature. These streets include Fairview Avenue (to the west of the Project Site), Lotus Avenue and Muscatel Avenue. Figure 15: Project Traffic Volumes PM Peak Hour, FEIR, p. 76, provides a graphic depicting the forecast Project-related trips on the local streets and intersections during the PM peak hour. As shown in Figure 15: Project Traffic Volumes PM Peak Hour, the project is forecast to add no new trips onto Fairview Avenue west of the Project Site. Additionally, the Project is forecast to add no new trips onto Lotus Avenue during the PM peak hour. For Muscatel Avenue, one new peak hour trip is forecast to utilize the segment south of Huntington Drive. In conclusion, the Project will result in little or no change in the existing traffic volumes on the local residential streets west of the Project Site, including Fairview Avenue, Lotus Avenue and Muscatel Avenue. Therefore, no Project-related impacts are forecast for these local streets.

At its April 18, 2006 hearing, the Board eliminated the Fairview Avenue driveway and made the traffic signal at the Rosemead Boulevard/Fairview Avenue intersection contingent upon future traffic analyses demonstrating need.

The elimination of the Fairview Avenue driveway and the contingency of the traffic signal at the Rosemead Boulevard/Fairview Avenue intersection do not result in any new or additional significant impacts. (See March 16, 2006 Traffic Analysis Memo prepared by Linscott, Law and Greenspan, FEIR, Appendix C). Although the Rosemead Boulevard/Fairview Avenue traffic signal is not a measure required to mitigate any traffic impacts generated by the Project, the applicant has agreed to design a potential traffic signal and deposit an acceptable form of surety with the County Department of Public Works, Traffic and Lighting Division for the cost of future installation of this signal, if warranted.

California Boulevard and Madre Street

North of Huntington Drive, local neighborhood streets that may be utilized by Project-related traffic for access include California Boulevard and Madre Street. California Boulevard carries a mix of local and regional through traffic.

Madre Street provides a full interchange with the I-210 freeway to the north, thereby also accommodating local and regional traffic prior to its intersection with Huntington Drive. However, configuration of the Madre Street intersection at Huntington Drive limits its potential use by Project-related trips originating from the freeway since left-turns from southbound Madre Street to eastbound Huntington Drive are not permitted. It is more likely that Project-related trips originating from the I-210 freeway will utilize the Rosemead Boulevard. Local residents who may utilize southbound Madre Street for access to the Project will be required to turn left on Rosemead Boulevard prior to Huntington Drive (e.g., at Del Mar Boulevard or California Boulevard) to reach the Project Site. Outbound motorists leaving the Project Site and returning to the residential areas north of Huntington Drive and east of Rosemead Boulevard may use Huntington Drive to access northbound Madre Street, although others will continue north on Rosemead Boulevard and turn left at one of the east-west thoroughfares.

Figure 15: Project Traffic Volumes PM Peak Hour indicates that approximately 16 Project-related vehicles are expected to utilize California Boulevard west of Rosemead Boulevard in the PM peak hour, equivalent to approximately one vehicle every four minutes during the peak period. These trips will likely consist of local residents, as well as residents who live along the California Boulevard corridor in Pasadena. The forecast added trips due to the Project on California Boulevard comprise approximately one percent of the total vehicles using this thoroughfare during the afternoon commuter peak hour. Therefore, the potential effects of the Project on California Boulevard are considered to be less than significant.

The configuration of the Madre Street/Huntington Drive intersection (whereby southbound left-turn movements from Madre Street to eastbound Huntington Drive are not permitted) does not allow for convenient access to the Project, particularly for inbound motorists. Therefore, the use of Madre Street north of Huntington Drive by Project-related trips is expected to be relatively minimal. Figure 15: Project Traffic Volumes PM Peak Hour notes that approximately four vehicles are expected to utilize Madre Street north of Huntington Drive during the PM peak hour. Due to the relatively small number of Project-related trips on Madre Street, the effects of the Project on Madre Street are considered less than significant.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant traffic impacts to local and neighborhood streets.

B. SITE ACCESS

The Project Site access scheme is shown in Figure 16: Site Access, FEIR, p. 80.

- *Huntington Drive Driveway.* The Huntington Drive driveway will be located at the northwesterly corner of the project site. Due to the existing raised median on Huntington

Drive, this driveway will accommodate right-turn ingress movements and right-turn egress movements only.

- *Rosemead Boulevard Driveway.* Two driveways are provided on Rosemead Boulevard. The northernmost Rosemead Boulevard driveway will be located north of the Northwoods Inn restaurant. This driveway will provide access to an employee only parking lot and will permit right-turn only ingress and egress. The primary Rosemead Boulevard driveway will be located immediately north of the existing fire station and south of the Northwoods Inn restaurant. The existing raised median on Rosemead Boulevard will be modified to accommodate left-turn (northbound) and right-turn (southbound) ingress movements, but only right-turn (southbound) egress movements (i.e., no left-turn egress movements permitted). Additionally, the west side of Rosemead Boulevard will be widened along the project site by approximately eight feet north of the project driveway to provide a right-turn deceleration lane. To maintain a minimum 8-foot wide sidewalk on the west side of Rosemead Boulevard, a property dedication of approximately 5 feet in width would be needed by the project in the area of the recommended widening. In addition, appropriate warning devices will be installed on Rosemead Boulevard to facilitate movements of emergency vehicles to and from the fire station located adjacent to the proposed project driveway.

Left Turn Queue Analysis

The Project Site access scheme includes a northbound left-turn lane from Rosemead Boulevard at the southerly project driveway. In order to implement this scheme, the southbound left-turn lane on Rosemead Boulevard at the Fairview Avenue intersection would need to be reduced by approximately 20 feet to a length of 120 feet. A vehicle queue analysis was conducted to assess the adequacy of the northbound left-turn pocket at Rosemead Boulevard at the southerly Project driveway and the southbound left-turn lane on Rosemead Boulevard at the Fairview Avenue intersection.

The “Operational Analysis” method from the Highway Capacity Manual (HCM) (Transportation Research Board, 2000) was utilized to perform the queue length analysis for the southerly project driveway on Rosemead Boulevard. A Synchro Analysis was utilized to perform the queue length analysis for the Rosemead Boulevard/Fairview Avenue intersection. The HCM operational and Synchro methods estimate the 95th percentile queue length for the minor street movements and the left-turn movements on the major street during the peak 15-minute period.

Approximately thirteen percent of the inbound Project trips are anticipated to utilize the northbound left-turn lane on Rosemead Boulevard at the southerly Project driveway. Based on the Project trip distribution and the total number of trips forecast for the Project (not including pass-by trips and existing trip credits), it is expected that 27 Project vehicles would turn left into the Project Site during the PM peak hour at the southerly Project driveway. Based on the HCM analysis, the projected 95th percentile queue length for the proposed northbound left-turn lane at this location is one vehicle. It is concluded that the 120-foot northbound left-turn lane (which can accommodate approximately five left-turning vehicles) would provide more than adequate storage for the forecast Project traffic.

As mentioned above, the southbound left-turn lane on Rosemead Boulevard at Fairview Avenue would provide 120 feet of storage with the northbound left-turn at the southerly project driveway. It is expected that 56 vehicles would turn left during the PM peak hour onto Fairview Avenue. Based on the Synchro analysis, the projected 95th percentile queue length for the southbound left-turn lane at this location is still only one vehicle. It is concluded that the 120-foot southbound left-turn lane at the Rosemead Boulevard and Fairview Avenue intersection (which accommodates approximately five left-turning vehicles) would provide more than adequate storage for the forecast left-turn traffic volume.

Required Mitigation Measures:

The following required mitigation measures will reduce traffic and circulation impacts associated with the site access of the Project to less than significant levels:

- The applicant shall submit to the Department of Public Works for review and approval a revised 40-scale site plan demonstrating adequate turning radius for a typical 10-wheeler trailer truck on-site at the project ingress driveways, at the loading area, in the parking lot, and egress driveways. A minimum traffic index of 7.0 is recommended along the truck route within the Project Site.
- The Keep Clear Zone (including limit lines and “Keep Clear” pavement marking) shall be located between the fire station driveway (south side) and Project driveway north of the fire station driveway. Flashers shall be located just before the pavement markings in each direction of travel. Exhibit “A” of the CUP shall clearly depict the location of the fire station driveway.

Finding:

For the foregoing reasons, the Board adopts Finding 1.

C. Parking Demand Analysis

The Project will provide 502 parking spaces on site consistent with the County Code requirement of 502 spaces. The parking requirement is based upon the existing requirement of 35 spaces for the Northwoods Inn plus the amount of spaces required under the County Code based on the occupancy of the expanded Galley Restaurant and the square footage of the Department store.

A parking demand analysis was prepared to assess the adequacy of the parking supply during the anticipated peak demand for parking at the Project Site. In conjunction with the parking demand analysis, observations of existing parking demand were conducted at the Project Site to determine the current parking demand generated by the two on-site restaurants, the Northwoods Inn and the Galley. Both restaurants will remain on-site as part of the Project (although The Galley will be relocated from its current location within the Project Site). Parking demand observations were conducted at the Project Site on Friday, February 25 and Saturday, February 26, 2005. The observations were conducted on an hourly basis beginning at 11:00 am, with the last observation conducted at 8:00 pm.

Similarly, parking demand utilization observations were conducted at a Kohl's department store in the City of Glendora (Kohl's is a potential tenant of the Project). The parking utilization observations were conducted at the Kohl's in Glendora on Friday, March 4, and Saturday, March 5, 2005 over a similar time frame as the restaurant parking observations (*i.e.*, hourly from 11:00 am to 8:00 pm).

Table 29: Summary of Observed and Forecast Parking Utilization, FEIR, p. 82, provides a summary of the parking demand observations. As shown in Table 29: Summary of Observed and Forecast Parking Utilization, a peak parking demand for the sites on the Friday observation day occurred at 9:00 pm with a cumulative parking demand for 231 parking spaces. The peak parking demand for the Saturday observation day occurred at 7:00 pm with 285 parking spaces utilized.

Under the Project, use of the Galley restaurant is anticipated to increase because of its increase in size. As a result, the observed parking demand was adjusted to forecast the parking demand anticipated under the Project. As shown in Table 29: Summary of Observed and Forecast Parking Utilization, it is forecast that the peak parking demand for the Project will be approximately 342 parking spaces. The peak parking demand will be readily accommodated by the Project's parking supply of 502 spaces. Thus, the Project will cause no significant impacts on parking.

Furthermore, an analysis of on-street parking was conducted. Table 30: Summary of On-Street Parking Accumulation summarizes the on-street parking spaces available and the demand for these spaces. The Project will have no significant impact on on-street parking.

Even though the Project's impact is less than significant, the applicant will be required to comply with the following mitigation measure to further reduce impacts:

- Twenty-eight designated employee parking spaces shall be located adjacent to the north driveway on Rosemead Blvd.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant impact to parking.

D. CONGESTION MANAGEMENT PROGRAM ROADWAY IMPACT ANALYSIS

The Congestion Management Program (CMP) is a state-mandated program that was enacted by the State Legislature with the passage of Proposition 111 in 1990. The CMP is intended to address the impact of local growth on the regional transportation system. In Los Angeles County, the CMP is administered by the Los Angeles County Metropolitan Transportation Authority.

Intersection Monitoring

As required by the 2002 CMP for Los Angeles County, a Traffic Impact Assessment (TIA) was prepared to determine potential impacts on designated monitoring locations on the CMP highway system. The analysis was prepared in accordance with procedures outlined in the 2002

Congestion Management Program for Los Angeles County, County of Los Angeles Metropolitan Transportation Authority, June, 2002. The analysis includes examination of both CMP intersection monitoring locations and freeway monitoring locations. The following CMP intersection monitoring locations were analyzed:

<u>CMP Station</u>	<u>Intersection</u>
100	Rosemead Blvd and Huntington Dr
121	Rosemead Blvd and Foothill Blvd
146	Rosemead Blvd and Las Tunas Blvd

CMP TIA guidelines require that intersection monitoring locations must be examined if a project will add 50 or more trips during either the AM or PM weekday peak periods. The Project is not anticipated to add more than 50 trips at the CMP monitoring stations 100 and 146. Notwithstanding, an analysis considered the impacts at all three monitoring stations.

Under CMP TIA significance criteria, a significant impact occurs when the proposed project's traffic increases demand at a CMP arterial monitoring location by 2 percent of capacity (i.e., V/C increase greater than or equal to 0.02), causing the location to operate at LOS F ($V/C > 1.00$). Under CMP TIA criteria, a project would not have a significant impact if the analyzed monitoring location is operating at LOS E or better after the addition of project traffic. As shown in Table 32: CMP Summary of Volume to Capacity Ratios and Levels of Service AM and PM Peak Hours, FEIR, p. 91, the affected CMP monitoring stations will be operating at LOS D after the addition of Project traffic. Therefore, the Project will result in a less than significant impact to all three CMP monitoring intersections.

Freeway Monitoring

The following CMP freeway monitoring location was identified in the Project vicinity:

<u>CMP Station</u>	<u>Location</u>
1061	I-210 Freeway at Rosemead Boulevard

The CMP TIA guidelines require that freeway monitoring locations must be examined if a project will add 150 or more trips (in either direction) during either the AM or PM weekday peak hours. As shown in Figures 14: Project Traffic Volumes AM Peak Hour and 15: Project Traffic Volumes PM Peak Hour, the Project is not expected to exceed the CMP threshold of 150 trips in either direction on the I-210 Freeway adjacent to the Project Site.

Transit Services

As required by the 2002 Congestion Management Program for Los Angeles County, an analysis of the CMP transit service was conducted. The Project trip generation, as shown in Table 27: Net New Project Trip Generation, FEIR, p. 73, was adjusted by values set forth in the CMP to estimate transit trip generation. Pursuant to the CMP guidelines, the Project is forecast to

generate a demand for 3 transit trips (2 inbound trips and 1 outbound trip) during the weekday AM peak hour. During the weekday PM peak hour, the Project is anticipated to generate a demand for 14 transit trips (7 inbound trips and 7 outbound trips). Over a 24-hour period, the Project is forecast to generate a demand for 155 daily transit trips. It is anticipated that existing transit service will adequately accommodate Project-generated transit trips. Therefore, the Project will result in a less than significant impact to transit services.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant impact to CMP intersection monitoring locations, freeway locations and transit services.

D. CALTRANS ANALYSIS—I-210 FREEWAY

A traffic analysis of the Project's potential impacts to the I-210 Freeway was conducted per guidelines in Caltrans' Guide for the Preparation of Traffic Impact Studies, June 2001. In accordance with policies established by the Caltrans guidelines, the "Operational Analysis" method from the Highway Capacity Manual (HCM) (Transportation Research Board, 2000) was utilized to perform the freeway analysis. The HCM freeway operation analysis method determines the passenger car per mile per lane (pc/mi/ln) density on the freeway segment.

One freeway segment on the I-210 Freeway was analyzed using the Caltrans guidelines; I-210 Freeway at Rosemead Boulevard. Year 2001 traffic counts obtained from the 2002 CMP for the I-210 Freeway at Rosemead Boulevard segment were adjusted upward by 0.7% per year to reflect Year 2003 conditions. The 0.7% growth factor was obtained from the 2002 CMP for the Central area. As shown in Table 33: Caltrans Freeway Analysis, the I-210 Freeway at Rosemead Boulevard freeway segment is currently operating at LOS C in the eastbound direction and at LOS D in the westbound direction during the AM peak hour. During the PM peak hour, the I-210 Freeway at Rosemead Boulevard segment is currently operating at LOS E in the eastbound direction and LOS C in the westbound direction.

The 0.7% per year growth factor was applied to the adjusted Year 2003 traffic volumes in order to estimate Year 2006 volumes. As shown in Table 33: Caltrans Freeway Analysis, FEIR, p. 93, the I-210 Freeway at Rosemead Boulevard segment is projected to continue to operate at LOS C in the eastbound direction and at LOS D in the westbound direction during the AM peak hour in the future pre-project conditions. During the PM peak hour, the I-210 Freeway at Rosemead Boulevard segment is projected to continue to operate at LOS E in the eastbound direction and LOS C in the westbound direction.

The addition of Project generated traffic to the I-210 Freeway is expected to nominally increase the density in either direction during the AM peak hour and by less than 0.2 pc/mi/ln during the PM peak hour (eastbound direction). It is anticipated that the Project would not generate any significant impacts on the I-210 Freeway at Rosemead Boulevard.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less than significant impact to the I-210 freeway.

3.3 SOLID WASTE/ENVIRONMENTAL SAFETY: HAZARDOUS WASTE DURING CONSTRUCTION

Please refer to DEIR Section IV.D, pp. 98-110, FEIR Section V, pp. 106-115 for an analysis of potential project impacts from hazardous waste during construction.

Potential Effects and Rationale for Finding:

The Project Site has been developed with the existing buildings since approximately the 1950s and there is a possibility that these buildings contain asbestos containing materials ("ACMs"). A Phase I Environmental Assessment indicated that ACMs might be present. The suspected ACMs ranged from fair to good condition and all were observed to be non-friable. With adherence to applicable regulations such as the South Coast Air Quality Management Districts Rule 1402 that preclude demolition or construction prior to appropriate stabilization or removal of such ACMs, Project construction and demolition will result in a less than significant impact due to ACMs.

During construction, the existing asphalt surface parking lot will be removed which will generate a significant amount of asphalt debris which will be recycled and reused for the new surface parking lot. During construction, this material will stockpiled on-site while awaiting reuse. While recycling of asphalt at the Project Site would result in long-term environmental benefits, the short-term recycling effects could be potentially significant to sensitive receptors west of the Project Site. However, with the incorporation of the required mitigation measures, the Project will result in a less than significant impact due to potentially hazardous wastes.

Required Mitigation Measures:

The following required mitigation measures will reduce hazardous waste impacts during construction associated with implementation of the Project to less than significant levels:

- Asphalt and dust shall be pulverized on Site for reuse as fill and sub-base. Appropriate dust control and noise mitigation measures listed in Sections 3.1 (Air Quality: Construction) and 4.1 (Noise: Construction) will be employed at the time of construction to minimize impacts to neighboring properties. The method for asphalt recycling for reuse on the Site shall include grinding of existing asphalt and use on-site as base material.
- Upon completion of all Project-related asphalt recycling on the Project Site, any equipment and/or portable recycling plant shall be removed within 30 days.

Finding:

For the foregoing reasons, the County adopts Finding 1.

SECTION 4 - UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

Implementation of the Project would result in unavoidable significant environmental impacts that cannot be mitigated to a less than significant level.

4.1 NOISE: CONSTRUCTION

Please refer to DEIR Section IV.B., pp. 36-53 and FEIR, Section V, pp. 38-58 for an analysis of potential noise impacts of the project.

Potential Effect and Rationale for Finding:

Temporary demolition or construction noise impacts vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used and its activity level. Short-term construction noise impacts tend to occur in discrete phases dominated initially by earth-moving sources, then by foundation and parking area construction, and finally for finish construction. Figure 10: Typical Construction Equipment Noise Generation Levels, FEIR, p. 46, shows the typical range of construction activity noise generation.

Earth-moving and rock crushing equipment used during the demolition phase is typically the most noisy of the construction equipment. Measurements have shown, however, that the noise emissions levels are associated more with periodic events under full load rather than chronic (hourly or longer) noise exposure. Short term noise generation thus tends to be on the higher end of the ranges, while longer term exposure is at the quieter end of the noise spectrum. Earth-moving and rock crushing equipment is anticipated to be used for approximately four weeks during the demolition phase for the Project.

Demolition activities could occur within 25 feet of the nearest residences and sensitive receptors at the western boundary of the Project Site. Assuming demolition activities take place within 25 feet, these residence could experience unmitigated noise levels as high as 98dB during demolition which exceeds the allowable threshold of 75dB from mobile equipment sources. See FEIR, p. 46, Revised Noise Study, p. 12. At 50 feet, the noise level could be as high as 95dB. See Revised Noise Study, p. 10.

The applicant will construct an eight foot high concrete masonry wall prior to the commencement of demolition activities. However, neither the existing six-foot tall wall nor the Project's new eight-foot high wall would completely attenuate noise levels from demolition equipment. According to Table 15, FEIR, p. 47, the eight-foot high wall will attenuate demolition noise to below County standards beyond 150 feet. Earth-moving and rock crushing equipment is anticipated to operate within 150 feet of the adjacent residents for approximately 1 week out of the 4 weeks they are on the Project Site.

The noise study examined the mitigation potential of a temporary sound barrier wall from 6 feet to 30 feet in height. See Table 15 and 16 on pp. 47-48 of the FEIR. A wall taller than 8 feet does not reduce impacts to below the applicable threshold of 75dB. Furthermore, the noise study concluded that a temporary barrier over eight feet in height would be infeasible because it would require at least 1 week to construct and 1 week to remove. During these two weeks, the noise

from the construction of the temporary wall would exceed County standards. Therefore, the construction of the temporary sound barrier wall would prolong the time period that significant noise impacts would occur from 1 week to 3 weeks (including 2 weeks of construction and demolition of the temporary wall and 1 week of construction noise above the 75dB threshold). Because the resulting barrier would not mitigate the significant construction to a less than significant level and would extend the anticipated duration of the impact, the construction of a temporary noise barrier sufficient to mitigate demolition noise to a less than significant level is infeasible.

Therefore, a short term unavoidable significant noise impact will occur during the demolition phase of construction to the residences adjacent to the western property line of the Project Site.

Required Mitigation Measures:

Construction noise impacts will be reduced to the greatest extent feasible by the following measures:

- Erect an eight foot high concrete masonry wall along the western property line prior to the commencement of demolition activities.
- Short-term construction noise intrusion will be limited by conditions on construction permits requiring compliance with the County of Los Angeles Noise Ordinance. The allowed hours of heavy equipment operations are from 7:00 am to 7:00 pm, Monday through Friday. Interior improvement construction shall be allowed on Saturdays from 7:00 am to 7:00 pm.
- Earthmoving/rock crushing activities within 150 feet of residences shall be conducted only between 10:00 am and 3:00 pm, Monday through Friday.
- The asphalt grinder shall not be operated closer than 150 feet of any residential property line boundary.
- Construction activities on Saturday (for interior improvements only) shall not entail the use of any combustion driven construction equipment within 250 feet of any residence.

Finding:

Implementation of the mitigation measures will reduce Project related impacts to the greatest extent feasible. After mitigation, construction noise will remain significant and unavoidable.

4.2 NOISE: OPERATIONAL

Please refer to DEIR Section IV.B, pp. 36-53 and FEIR, Section V, pp. 38-58 for an analysis of potential noise impacts of the project.

Potential Effects and Rationale for Finding:

Vehicular Noise

Potential operational noise impacts will be primarily generated by vehicular noise off-site, particularly at site access points and egress roadways. The Project Site is currently occupied with retail uses, two restaurants, and residential uses.

Off-site Project-related traffic noise was analyzed for existing and future scenarios including existing, year 2006 without the Project, year 2006 with the Project, and year 2006 cumulative growth. The FHWA Highway Traffic Noise Prediction Model (FHWA-RD-77-108) was used for the noise analysis. The model calculates the Leq noise level for a particular reference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, speeds, or noise barriers. Because the Project will create traffic volume changes on multiple roadways, generic runs for one roadway source were made and noise levels on other nearby roadways were calculated based upon a logarithmic volume ratio adjustment to the reference volume noise level. The results of the analysis are shown in Table 17: Traffic Noise Impact Analysis, FEIR, p. 50.

The maximum increase in traffic noise attributable to the Project itself is +0.2dB along several area roadways. The maximum increase would be +1.0dB CNEL along Fairview Avenue west of Rosemead Boulevard which would not increase ambient traffic noise levels above the 75dB threshold. An increase of up to +1.0dB is undetectable even under laboratory conditions and is well below the significance threshold of +3.0dB. Therefore, the Project will result in a less than significant operational noise impact due to increased traffic.

As shown in Table 17: Traffic Noise Impact Analysis, traffic noise at 50 feet from the centerline is currently in the mid-60 to mid-70dB range. Table 17: Traffic Noise Impact Analysis also indicates that future traffic noise measurements at 50 feet from the centerline will be in the mid-60 to mid-70dB range. Therefore, while the Project will generate noise levels in excess of the established standards, this is consistent with existing conditions and the Project will not significantly increase noise in the project area beyond the threshold of +3.0dB.

On-Site Activities

Commercial activities at the Project Site will be governed and regulated by specific sections of the Los Angeles County Noise Ordinance. These sections provide noise standards, as well as allowable hours of certain activities. As shown in Table 10, FEIR p. 40, under County Noise Standards, residential and commercial properties have different exterior noise standards. When adjacent properties in the County have differing noise standard values, then the maximum mean of the exterior noise levels becomes the standard (County Code Section 12.08.390C). Table 13: Commercial/Residential Transitional Noise Standards (Sustained Noise), FEIR, p. 43 and Table 14: Commercial/Residential Transitional Noise Standards (Single Event Noise), FEIR, p. 44 show the mean exterior noise levels.

Commercial uses employ various activities as part of normal business operations that may impact nearby residences including both single event and ambient noises, typically associated with loading and unloading activities. Section 12.08.460 of the County Noise Ordinance addresses the noise impacts of loading operations and prohibits loading and unloading between

the hours of 10:00 pm and 6:00 am. The primary noise concern at the interface between commercial and residential uses is sleep disturbance related to single-event noise.

Table 18: Loading Dock Noise Measurements, FEIR, p. 51, indicates the average (Leq) and maximum (Lmax) noise levels measured near the rear of various commercial retail centers at a distance of 50 feet.

The nearest residential properties are located approximately 50 feet from the Project loading dock (Site 1) and would therefore experience similar noise conditions to those shown in Table 18: Loading Dock Noise Measurements. The Lmax measurement of 75dB for Project loading dock activities would reach, but not exceed, the mean of 75dB acceptable from 7:00 am to 10:00 pm but would exceed the mean of 70dB acceptable from 10:00 pm to 7:00 am. While ground level sources would be attenuated by the existing wall separating the Project Site from the residential properties, truck exhaust stack noise would not be attenuated. Therefore, the Project would result in an operational noise impact during nighttime hours (10:00 pm to 7:00 am) due to loading dock operations. Furthermore, the Lmax measurement of 78dB due to large diesel truck pass-by within close proximity of the adjacent residential properties could result in a significant operational noise impact. However, with the incorporation of the proposed mitigation measures which restrict the operating hours of the loading dock and truck access within the Huntington Drive driveway, any potential operational noise impacts resulting from loading dock operations would be reduced to a less than significant level.

Trash compactor activities could also create operational noise impacts. Trash compactors run for brief periods only, when a reasonable amount of cardboard has been accumulated, and then not again for several hours. The compaction cycle for the trash compactor is two minutes from start to finish. The noise standard for equipment such as trash compactors is broken down into various time intervals of allowable noise levels with louder noise constrained to progressively shorter time periods. The applicable standards for a trash compactor is a “not to be exceeded” limit for more than one minute. The daytime 1-minute standard is 65dBA for residential properties, 75 dBA for commercial properties, and 70dBA at the interface between residential and commercial properties.

The measured noise level from compactor operation for a unit similar to that of the Project is 66dBA at 10 feet from the exterior surface. Manufacturer’s noise data for the compactor is 66dBA at 15 feet from the theoretical center of the noise source. Minor echo effects will increase the noise level from reflection off the rear building wall. The noise level as a function of distance from the compactor is shown in Table 19: Trash Compactor Noise Levels. Based on Table 19: Trash Compactor Noise Levels, FEIR, p. 52 the commercial noise standard is met within 10 feet of the compactor while the residential standard is met within 20 feet. The nearest residence is located approximately 80 feet from the compactor location. Therefore, the operation of a trash compactor at the Project Site will result in a less than significant operational noise impact. The hours of operation of the trash compactor will be restricted to the allowable hours of the loading dock operation, which will further reduce any potential noise impacts to a less than significant level.

One mitigation measure originally proposed for the Project that would reduce operational noise impacts to a less than significant level was extension of the existing wall separating the Project

Site from the residential properties to the west of the Project Site. However, to mitigate potential operational noise impacts, a wall would have to be approximately 11 feet tall. A wall of this height would be aesthetically unpleasing to the residential properties to the West and could result in secondary environmental impacts such as shade/shadow impacts. Additionally, such a wall would be an attractive nuisance, acting as an inviting canvas for graffiti artists. Therefore, this mitigation was considered to be infeasible.

Maximum, single-event daytime noise levels due to normal store operations at the homes adjacent to the western boundary of the Project Site are shown in Table 20: Maximum Daytime Noise Levels, FEIR, p. 53. As shown in Table 20: Maximum Daytime Noise Levels, heavy truck movement in the drive aisle between the department store/loading dock and adjacent residences would generate the loudest single event noise levels. With installation of the 8-foot wall, noise levels from heavy truck movement would be reduced to 76dB, which exceeds the 75dB threshold. No other activities exceed the 75dB threshold. Therefore, with the mitigation measure prohibiting trucks from using the western drive aisle, the Project will result in a less than significant operational noise impact due to maximum daytime noise levels.

Operation of new mechanical equipment at the Project Site could add to ambient noise levels. Mechanical equipment on the department store building roof will create a semi-continuous noise source that is governed by the L50 criterion. This mechanical equipment will operate primarily during daytime hours. On limited special sales days at the department store, some mechanical ventilation equipment could operate before 7:00 am to after 10:00 pm. The L50 noise compliance standard for mechanical equipment is 55dB, decreasing to 50dB before 7:00 am or after 10:00 pm. The reference noise level for a single air conditioning unit is 76-82dB. It is assumed that six air conditioning units will be operating simultaneously. As shown in Table 21: Mechanical Equipment Noise, FEIR, p. 54, the maximum combined reference level is approximately 90dB. Air conditioning reference noise levels are the sound that would be measured at approximately one foot from the theoretical center of the equipment. Noise reduction by distance/spreading losses between air conditioning units and the nearest residences (approximately 130 feet west) from the equipment is calculated as follows: $20 * (\log(1.32/130)) = -40\text{dB}$.

Mechanical noise levels will be reduced by construction of a roof parapet wall. As shown in Table 21: Mechanical Equipment Noise, Noise levels will be reduced to approximately 40dB which is below both the daytime (55dB) and nocturnal (50dB) noise standard. Therefore, the project will result in a less than significant operational noise impact due to mechanical equipment.

Parking lot activities associated with retail operations may also be audible at the residential properties to the west of the Project Site. Measured peak noise levels at similar commercial centers are shown in Table 22: Commercial Center Noise Levels, FEIR, p. 55.

As shown in Table 22: Commercial Center Noise Levels, peak noise levels from the majority of parking lot activities will be below both daytime (75dB) and nocturnal (70dB) single event noise standards. The occasional triggering of a car alarm could generate temporary, unattenuated noise levels above both daytime and nocturnal noise standards. However, with the construction of the eight foot high boundary wall, car alarm noise levels would be reduced to 71dB which is below

the daytime noise standard but still exceeds the nocturnal standard of 70dB. As monitored at a similar commercial center, car alarm noise typically occurs one or two times weekly. As such, noise levels generated by car alarms will occur infrequently during the limited days when the store is open before 7:00 am or after 10:00 pm (when the nocturnal standard applies). In addition, during the extended hours on special sales days, patrons typically park near the store entrance during the earlier and later hours, as crowds are smaller during those hours and parking spaces close to the store are available. The increase in distance to the nearest homes when cars are clustered around the store entrance will reduce the car alarm noise level below the nocturnal standard of 70dB. As a result, the Project will result in a less than significant operational noise impact due to parking lot activities.

The Project will result in the demolition of five existing single family residences on the southwest portion of the Project Site, just north of Fairview Avenue. The Project includes development of the area that these residences currently occupy. A currently vacant lot located to the west of these five residences will become surface parking that will serve the retail development. As a result of this demolition and construction, single family residential dwelling units located along Sultana Avenue currently shielded by the homes to be demolished will become the interface between the Project Site and off-site properties. Based on extrapolation of noise measurements taken at the location of the proposed loading dock ("Site 1") and the location of the five existing residences ("Site 2") (DEIR, p. 39 and FEIR, p. 41), the current noise level in the rear yards of these Sultana Avenue homes is approximately 44dB.

Under the Project, it is estimated that noise levels in the rear yards of the Sultana Avenue homes will increase to approximately 51dB, an increase of approximately +7dB which is greater than the established operational noise threshold of +3dB. Therefore, based on expansion of retail uses at the Project Site closer to these homes and removal of existing noise shrouding, the Project will result in a significant operational noise impact to the residential units located along Sultana Avenue. However, as shown in Table 13: Commercial/Residential Transitional Noise Standards (Sustained Noise), FEIR, p. 43 the accepted noise level for sustained activity in areas of residential/commercial interface is 55dB. Although the Project is expected to exceed the established significance threshold of +3dB for operational noise, the anticipated 50dB noise level at the residences along Sultana Avenue is below the established noise standard of 55dB for areas of residential/commercial interface. Furthermore, existing daytime noise levels at the Project Site were measured at 53dB (Site 1) and 54dB (Site 2).

The anticipated +7dB increase in ambient noise levels could be reduced below the +3dB threshold by increasing the height of the proposed perimeter wall along the western side of the Project Site. As a rule, one foot increase of wall height will reduce noise levels between 0.5 to 1.0dB. To reduce the noise increase below the +3dB threshold, a thirteen foot perimeter wall would be necessary. However, a wall of this height would be aesthetically unpleasing to surrounding properties, could result in secondary environmental impacts such as shade/shadow impacts, and would be an attractive nuisance, acting as an inviting canvas for graffiti artists. Therefore, this mitigation was considered to be unfeasible and an eight foot high wall was adopted.

Required Mitigation Measures:

The following measures will reduce potential noise impacts to the greatest extent feasible:

- Erect an eight foot high concrete masonry wall along the western property line prior to the commencement of demolition activities.
- Refuse or recycled cardboard trucks shall not collect waste materials before 7:00 am or after 10:00 pm on weekdays, before 8:00 am or after 10:00 pm on Saturday, or on Sunday.
- Parking lot sweeping shall not occur from 10:00 pm to 7:00 am.
- Trucks are to be prohibited in the westernmost drive aisle on the Project Site (adjacent to residences to the west).

Finding:

Implementation of the mitigation measures will reduce Project related impacts to the greatest extent feasible. After mitigation, operational noise will remain significant and unavoidable.

SECTION 5 - POTENTIAL CUMULATIVE IMPACTS THAT ARE NOT SIGNIFICANT (NO MITIGATION REQUIRED)

5.1 AIR QUALITY

Please refer to DEIR Section IV.A, p. 35 and FEIR Section V, p. 37 for an analysis of the lack of a cumulative impact on air quality.

Potential Cumulative Effects and Rationale for Finding:

Established thresholds for criteria pollutants consider the cumulative net increase of criteria pollutants in a project region. As discussed in Sections 2.1 and 3.1, with the incorporation of mitigation measures, the Project will not exceed established significance thresholds for any criteria pollutant. The Project is consistent with the planned growth in the region and the applicable AQMP. Therefore, the Project would not result in a cumulatively considerable net increase in any criteria pollutant and will result in a less than significant cumulative operational air quality impact.

Finding:

The Project and related projects will not result in significant cumulative impacts to air quality.

5.2 NOISE

Please refer to DEIR Section IV.B, pp. 52-53 and FEIR Section V, p. 58 for an analysis of the lack of a cumulative impact to noise.

Potential Cumulative Effects and Rationale for Finding:

Construction of related projects could result in temporary increases in ambient noise levels in the Project area on an intermittent basis. However, due to temporary nature of the construction, existing land uses and ambient noise levels, and the distance between the Project Site and the identified related projects, any increase in the ambient noise level due to construction of related projects would not result in significant construction noise impacts.

Operational cumulative noise impacts were analyzed cumulatively based on the traffic analysis. When calculating future traffic impacts, the traffic analysis included approximately twenty two related projects. Table 16 in the DEIR, p. 47 and Table 5 in the Revised Noise Impact Analysis: Traffic Impact Noise Analysis indicates that the Project and related projects, will result in cumulative impacts that are less than significant.

Due to the size and location of the Project Site, existing land uses in the Project area, and the location of the identified related projects, single-event noise occurrences associated with related projects would not result in cumulative noise impacts.

Finding:

No significant cumulative noise impact will result from implementation of the Project.

5.3 SOLID WASTE/ ENVIRONMENTAL SAFETY

Please refer to DEIR Section IV.D, p. 109 for an analysis of cumulative impacts on solid waste/environmental safety.

Potential Cumulative Effects and Rationale for Finding:

Related projects are anticipated to generate approximately 14,885 pounds of solid waste per day, or approximately 2,322 tons per year. The County-wide average daily solid waste disposal rate is estimated to be 40,000 tons per day by 2015, or approximately 5,500 tons per day more than in 2000. Based on this estimate, related projects would result in an increase of approximately 0.13 percent of the forecasted increase. When combined with the solid waste generated at the Project Site, the total solid waste generated is an average daily rate of 14,766 pounds per day, or 2,303 tons per year. The anticipated cumulative solid waste generation is approximately 7.0 tons of waste per day. Based on a daily permitted capacity of approximately 13,200 tons per day, the Puente Hills Landfill will be able to service the solid waste disposal needs of the Project and related projects until the landfill closes in about nine years. Therefore, the Project will result in a less than significant cumulative solid waste impact.

The operation of the project will not generate any hazardous waste. With the incorporation of the required mitigation measures, the construction of the Project will result in a less than significant impact due to potentially hazardous wastes. Therefore, there are no cumulative impacts to environmental safety or hazardous waste.

Finding:

No significant cumulative impacts will occur with respect to solid waste/environmental safety.

SECTION 6 - POTENTIAL CUMULATIVE IMPACTS THAT HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE

6.1 TRAFFIC

Please refer to DEIR Section IV.C, pp. 88-97 and FEIR Section V, p. 59-106 for an analysis of the potential cumulative impacts on traffic.

Potential Cumulative Effects and Rationale for Finding:

The related projects were derived from information on file at the County of Los Angeles Planning Department, City of Arcadia Planning Department, and the Cities of Pasadena, San Gabriel, San Marino, and Temple City. A list of Related Projects is presented in Table 35: Related Project Trip Generation. See FEIR, p. 99.

It should be noted that the MTA Gold Line light rail station has been completed and in operation since June 2003. Since the traffic counts conducted at the Rosemead Boulevard and Del Mar Boulevard intersection were conducted almost one year after the completion of the Gold Line Station, this project was not included in the cumulative analysis because Gold Line-related traffic is already included in the existing traffic counts.

Traffic volumes expected to be generated by Related Projects were calculated using rates provided in the ITE Trip Generation manual, or were obtained from previously approved traffic impact studies. Trip generation for Related Projects for AM and PM peak hours, as well as on a daily basis for a typical weekday, is presented in Table 35: Related Project Trip Generation.

In order to account for unknown related projects not included in this analysis, existing traffic volumes were increased at an annual rate of 0.7% to the year 2006, the anticipated year of Project build-out. The growth rate is consistent with those found in the 2002 Congestion Management Program for Los Angeles County, County of Los Angeles Metropolitan Transportation Authority (LACMTA), June 2002. Application of this ambient growth factor allows for a conservative, worst-case forecast of future traffic volumes in the area.

Levels of Service at all of the study intersections were incrementally increased by the addition of traffic generated by the Related Projects. As shown in Table 36: Summary of Cumulative Volume to Capacity Ratios and Levels of Service AM and PM Peak Hours, FEIR, p. 101, 7 of the 12 study intersections are expected to continue operating at LOS D or better during PM peak hours. Significant cumulative traffic impacts are expected at the following intersections: (1) Rosemead Boulevard and Foothill Boulevard, (2) Rosemead Boulevard and Colorado Boulevard, (3) Rosemead Boulevard and Duarte Road, (4) California Boulevard/Sunset Boulevard and Huntington Drive and (5) Rosemead Boulevard and Huntington Drive. Figure 18: Lane Configurations After Cumulative Mitigation shows lane configurations in the project vicinity with incorporation of the Project, related projects, and cumulative/regional mitigation measures, FEIR, p. 103.

The City of Pasadena East Pasadena Specific Plan requires signal modification at the Rosemead Boulevard / Colorado Boulevard and Rosemead Boulevard / Foothill Boulevard intersections

Required Mitigation Measures

Pursuant to State CEQA Guidelines § 15091(a)(1) and (2), certain traffic mitigation measures listed below are within the responsibility and jurisdiction of CalTrans, the City of Pasadena, and the City of Arcadia and can and should be adopted in addition to the County of Los Angeles. However, in the event that CalTrans and other jurisdictions do not approve the proposed traffic mitigation, a significant and unavoidable traffic impact may result from the project.

Required Mitigation to be Performed Under Jurisdiction of the County of Los Angeles

- The applicant shall submit to the Department of Public Works for review and approval a revised 40-foot-scale site plan demonstrating adequate turning radius for a typical 10-wheeler trailer truck on-site at the project ingress driveways, at the loading area, in the parking lot, and egress driveways. A minimum traffic index of 7.0 is required along the truck route within the project site.
- Twenty-two designated employee parking spaces shall be located adjacent to the north driveway on Rosemead Boulevard.
- The Keep Clear Zone (including limit lines and “Keep Clear” pavement markings) shall be located between the fire station driveway (south side) and project driveway north of the fire station driveway. Flashers shall be located just before the pavement markings in each direction of travel. Exhibit “A” of the CUP shall clearly depict the location of the fire station driveway.
- *Rosemead Boulevard and Duarte Road.* Mitigation shall include restriping of eastbound approach lanes on Duarte Road at Rosemead Boulevard to provide an exclusive right-turn only lane and all necessary signal modifications. To accommodate the 12-foot wide eastbound right-turn lane, the existing eastbound through lane shall be reduced from 12-feet to 11-feet wide. The existing, south-side Duarte Road curb lane shall be widened from 21-feet to 22-feet to accommodate a 10-foot wide through lane and a 12-foot wide right-turn lane. Restriping would result in the loss of approximately four on-street parking spaces on eastbound Duarte Road. This will not result in any secondary impacts to parking. See Section 4.3, Parking Demand Analysis.

Finding:

For the foregoing reasons, the Board adopts Finding 1.

Required Mitigation to be Performed Under Jurisdiction of the County of Los Angeles and Caltrans

- *Rosemead Boulevard and Colorado Boulevard.* Mitigation shall include signal modification required by the City of Pasadena East Pasadena Specific Plan and the Los Angeles County Intelligent Transportation System (ITS). In addition to any signal

modifications, mitigation shall include widening of the eastbound approach lanes on Colorado Boulevard at the Rosemead Boulevard intersection to provide an exclusive right-turn only lane and all necessary signal modification. The resultant eastbound lane configuration shall provide one left-turn lane, two through lanes, and one right-turn lane. The widening would result in the loss of approximately ten parking spaces on the eastbound approach. This will not result in any secondary impacts to parking. See Section 4.3, Parking Demand Analysis.

- *Rosemead Boulevard and Huntington Drive.* Mitigation shall include restriping of the westbound approach and departure lanes on Huntington Drive at Rosemead Boulevard to provide an exclusive right-turn only westbound lane and all necessary signal modifications. To accommodate the proposed 12-foot right-turn lane, the existing through lanes shall be reduced from 12-feet to 11-feet. The existing south-side Huntington Drive curb lane shall be increased from 20-feet to 23-feet to accommodate an 11-foot through lane and a 12-foot right-turn lane. Restriping would result in the loss of approximately five on-street parking spaces on westbound Huntington Drive. This will not result in any secondary impacts to parking. See Section 4.3, Parking Demand Analysis.

Finding:

For the foregoing reasons, the Board adopts Findings 1 and 2.

Required Mitigation to be Performed Under Jurisdiction of the County of Los Angeles, City of Pasadena and Caltrans

- *Rosemead Boulevard and Foothill Boulevard.* Mitigation includes signal modification at Rosemead Boulevard and Foothill Boulevard as part of the City of Pasadena East Pasadena Specific Plan and County of Los Angeles Intelligent Transportation System (ITS).

Finding:

For the foregoing reasons, the Board adopts Findings 1 and 2.

Required Mitigation to be Performed Under Jurisdiction of the City of Arcadia

- *California Boulevard/Sunset Boulevard and Huntington Drive.* Restripe eastbound approach lanes of Huntington Drive at the intersection of California Boulevard/Sunset Boulevard to provide an exclusive right-turn lane and all necessary signal modifications. To accommodate the proposed right-turn lane, the existing 22-foot eastbound curb lane shall be restriped to provide a 10-foot through lane and a 12-foot right-run lane. The proposed restriping would result in the loss of approximately seven on-street parking spaces on the eastbound approach. This will not result in any secondary impacts to parking. See Section 4.3, Parking Demand Analysis.

Finding:

For the foregoing reasons, the Board adopts Finding 2.

SECTION 7 - CUMULATIVE IMPACTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The Project will not result in any cumulative impacts that cannot be mitigated to a less than significant level.

SECTION 8 - GROWTH-INDUCING IMPACTS OF THE ACTION

Section 15126.2(d) of the State CEQA Guidelines requires that an EIR “discuss the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Please refer to DEIR Section VI for an analysis of the potential growth-inducing impacts of the project.

The Project includes a new 80,000 square foot retail building. The existing Galley restaurant (approximately 4,000 square feet) will be demolished and rebuilt in an alternate location on the Project Site, in a new, approximately 8,500 square foot, one-story building. The Northwoods Inn restaurant, approximately 14,060 square feet in size, will remain on the Project Site in its existing structure. 502 parking spaces will be provided for the entire Project.

Due to the developed nature of the San Gabriel Valley, within which the Project Site is located, it is not expected that the Project would be growth-inducing. The Project will redevelop a site that has been developed with retail, office and restaurant uses for over 50 years.

The retail portion (department store) of the Project is anticipated to create a maximum of approximately 150 new jobs. The restaurant uses are either being maintained or reconstructed on Site and will not substantially contribute to employment or population in the area. A substantial employment base and residential population currently exist in the San Gabriel Valley and therefore, employees for the Project will already reside in the area and the nature of the jobs created by the Project is not likely to induce people to move to the San Gabriel Valley. The Project is commercial in nature and will not result in a substantial increase in residents either directly or indirectly. The Project does not include a residential component. Furthermore, the Project is not anticipated to induce residential growth off-site, directly or indirectly, because no one will likely move to the San Gabriel Valley because of the Project.

An increase in short-term employment opportunities as a result of the construction phase may occur. The retail (department store) portion of the Project could result in a maximum of approximately 150 new jobs. The Project would be adequately served by existing utilities and therefore will not require construction or expansion of substantial new infrastructure. Growth inducing impacts are not anticipated as a result of the Project.

SECTION 9 - FINDINGS REGARDING ALTERNATIVES

Under State CEQA Guidelines Section 15126.6, a description of a range of reasonable alternatives to the Project or location of the Project, which would feasibly attain most of the

objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives, must be included in an EIR. A No Project alternative must be evaluated along with its impact. The alternatives included in the DEIR are (1) No Project Alternative; (2) Reduced Height Alternative; (3) Office Alternative and (4) Mixed Use Alternative.

The DEIR circulated to the public compared the original project to these four alternatives. The Project was revised to lower its height and reduce its square footage. The impacts of the Project as revised are similar or less than that of the project as originally proposed.

In addition to specifying that the EIR evaluate “a range of reasonable alternatives” to the Project, Section 15126.6(c) requires that an EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process.

Project Objectives

The following represent the objectives for the project:

- Comply with the following objectives and policies within the existing County of Los Angeles General Plan:
 - Locate use so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.
 - Encourage the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations.
 - Develop land use to be easily accessible and situated at community focal points such as major intersections and established neighborhood shopping facilities.
- Redevelop the subject property by replacing existing structures with a well-planned retail facility conveniently located with a contemporary design
- Consolidate the number of retail tenants at the Project Site
- Establish consistent zoning across the entire Project Site
- Develop Site to accommodate a national retail department store
- Re-parcelize the subject property into three proportionate parcels, one for each use and its adjacent parking field
- Development of a project that provides access for the majority of site traffic from Rosemead Boulevard and Huntington Drive so as not to increase traffic on the nearby residential streets

- Development of ingress and egress for the Fire Station such that the Project does not conflict with existing or future operations at the Fire Station

Alternatives Rejected As Infeasible

Alternative Project Site. An alternative that examined the relocation of the Project to an alternative location within a 2.5 mile radius of were considered. However, due to the existing development of the southern California region, in particular the San Gabriel Valley, a possible alternative site within the 2.5 mile radius that would reduce potential environmental impacts and feasibly attain the following development criteria could not be identified: large enough to accommodate development of comparable square footage, currently under one ownership, and continue to serve the intended community. Therefore, this project alternative was determined infeasible and was not further analyzed.

All Residential Alternative. A project alternative that examined an alternate land use at the Project Site was considered. Zoning on the Project Site includes C-1, Restricted Business Zone; C-2, Neighborhood Business Zone; C-H-DP, Commercial Highway Zone; and R-3, Limited Multiple Residence Zone. The General Plan designation of the Project Site is Medium Density Residential. While the R-3 zone would permit residential development, a Conditional Use Permit would be required for residential uses in the C-1, C-2, and C-H zones. Assuming R-3 development over the entire Project Site (8.1 acres), a maximum of approximately 243 dwelling units could be constructed on Site. Significant impacts identified as a result of the Project include construction and operational noise. These impacts are anticipated under the All Residential Alternative as well. The All Residential Alternative would not avoid any of the Project's significant impacts or substantially lessen them. The All Residential Alternative would not achieve most of the Project's basic objectives, including developing a retail department store and replacing existing structures with a well-planned retail facility. Therefore, the All Residential Alternative was determined infeasible and was not further analyzed.

9.1 ALTERNATIVE 1: NO PROJECT ALTERNATIVE

Although the Site would be left undeveloped under the No Project Alternative, future development options would remain available. Future development options would likely include projects similar in size and use to the Project, unless a zone change or general plan amendment were adopted to allow more intensive uses of the site. The Draft General Plan Update process proposes "C" Major Commercial for the Project Site, which would allow for more intense development than the Project. If development of the Project Site were not to take place, it could be assumed that environmental conditions would remain consistent with those expressed in the DEIR, Section III: Environmental Setting.

Existing buildings at the Project Site include three restaurants (approximately 28,075 square feet), eleven retail uses (approximately 21,800 square feet), a dental office (approximately 7,000 square feet), office uses (approximately 2,400 square feet), and five residential dwelling units. Approximately 370 surface parking spaces are available on the Project Site for the existing development. As of May 2003, occupied uses at the Project Site included: two restaurants (approximately 19,000 square feet), nine retail buildings (approximately 16,421 square feet),

office uses (approximately 2,400 square feet), a dental office (approximately 7,000 square feet), and five single family residential rental units.

Following is a discussion of environmental impacts anticipated as a result of the No Project Alternative.

1. Air Quality

Please refer to DEIR Section VII.A, pp. 119 and FEIR Section V, p. 128 for an analysis of the No Project Alternative's impacts to air quality. As with the Project, the No Project Alternative would result in a less than significant air quality impact.

2. Noise

Please refer to DEIR Section VII.A, pp. 119-120 and FEIR Section V, pp. 128-129 for an analysis of the No Project Alternative's noise impacts.

The No Project Alternative would result in the continuation of existing land uses at the Project Site. Under the No Project Alternative, no construction activities would take place at the Site and there would be no additional operational noise impacts. Therefore, the No Project Alternative would result in a less than significant construction noise impact. The Project would cause a significant and unavoidable construction noise impact to the residences to the west during demolition and an operational noise impact at the rear of the residential units located along Sultana Avenue due to the removal of the existing residences on the Project Site. Therefore, the noise impact of the No Project Alternative would be less than the noise impact of the Project.

3. Traffic

Please refer to DEIR Section VII.A, pp. 120 and FEIR Section V, p. 129 for an analysis of the No Project Alternative's traffic impacts.

Traffic in the project vicinity under the No Project Alternative would not change or be made significantly worse due to construction or operational activities. Therefore, as with the Project with the proposed mitigation measures incorporated, the No Project Alternative would result in less than significant traffic impact. In the event that Caltrans and other jurisdictions do not approve the proposed mitigation, a significant traffic impact may result from the Project. In that case, the No Project alternative would avoid this significant traffic impact.

4. Solid Waste

Please refer to DEIR Section VII.A, pp. 120-121 and FEIR Section V, p. 129 for an analysis of the No Project Alternative's impacts to Solid Waste. As with the Project, the No Project Alternative would result in a less than significant impact to solid waste disposal.

Comparison to Project Objectives

Alternative 1 is environmentally superior to the Project because the significant unavoidable environmental impacts associated with the Project in terms of noise and potentially traffic would not occur. However, by retaining existing conditions, this Alternative would not accomplish any of the Project Objectives. For the above reasons, this alternative has been rejected.

9.2 ALTERNATIVE 2: REDUCED HEIGHT

This project alternative includes a one-story retail building that will incorporate a relocated loading dock. The loading dock for retail uses would be located along Huntington Drive, away from the adjacent residential units to reduce potential operational noise impacts. As under the Project, the Reduced Height Alternative would include demolition of existing retail and office uses, two restaurants, and five single family residential units located at the Project Site. Construction would include a one-story building of approximately 98,500 square feet for retail uses and one restaurant (approximately 8,500 square feet) to replace one of the demolished restaurants. One existing restaurant of approximately 14,060 square feet would remain on Site. Parking for the Reduced Height Alternative would be similar to that proposed under the Project, surface parking lots surrounding the proposed uses.

As a result, the visual appearance of the Project Site under the Reduced Height Alternative would have been different than under the original Project. However, the Revised Project is only one-story tall. As such, the change in aesthetics and views under the Revised Project is similar to that under the Reduced Height Alternative.

Due to the increased size of the building footprint under the Reduced Height Alternative, the amount of landscaping provided under the Reduced Height Alternative would be less than under the Project, as revised.

The Project, as revised, reduced the square footage of the proposed department store to approximately 80,000 square feet.

Following is a discussion of environmental impacts anticipated as a result of the Reduced Height Alternative.

1. Air Quality

Please refer to DEIR Section VII.B, pp. 124-126 and FEIR Section V, p. 133-134 for an analysis of the Reduced Height Alternative's impacts to air quality. As with the Project, the Reduced Height Alternative would result in a less than significant air quality impact.

2. Noise

Please refer to DEIR Section VII.B, pp. 126-127 for an analysis of the Reduced Height Alternative's noise impacts.

The Reduced Height Alternative and the Project would have similar significant and unavoidable noise impacts during construction.

Under the Reduced Height Alternative, the loading dock would be relocated adjacent to Huntington Drive and away from the adjacent residential units. As a result, the operational noise levels to the residences to the west resulting from use of the loading dock by delivery and transfer vehicles would be reduced. However, with the incorporation of the mitigation measure prohibiting trucks from using the western drive aisle, the Revised Project's impacts of the loading dock will be less than significant. Therefore, both the Reduced Height Alternative and the Revised Project will have less than significant noise impacts from the loading dock.

Both the Reduced Height Alternative and the Project will not result in significant impacts from increased traffic noise.

As with the Project, under the Reduced Height Alternative, the five existing single family residences at the southern portion of the Project Site would be demolished and replaced with surface parking for the proposed retail services. Therefore, operational noise impacts to the Sultana Avenue residences under the Reduced Height Alternative would be the same as the significant and unavoidable impacts from the Project.

3. Traffic

Please refer to DEIR Section VII.B, pp. 127 for an analysis of the Reduced Height Alternative's traffic impacts.

As with the Project, with the proposed mitigation measures incorporated, the Reduced Height Alternative would result in less than significant traffic impact. In the event that Caltrans and other jurisdictions do not approve the proposed mitigation, a significant traffic impact may result from the Project. The impacts would be similar under the Reduced Height Alternative if Caltrans and other jurisdictions did not approve the proposed mitigation.

4. Solid Waste

Please refer to DEIR Section VII.B, pp. 128-130 for an analysis of the Reduced Height Alternative's impacts to Solid Waste. As with the Project, the Reduced Height Alternative would result in a less than significant impact to solid waste disposal.

Comparison to Project Objectives

The Reduced Height Alternative would generally meet the Project objectives discussed above in terms of complying with the following objectives and policies within the existing County of Los Angeles General Plan: (1) locating the use so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns, (2) encouraging the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations and (3) developing land use to be easily accessible and situated at community focal points such as major intersections and established neighborhood shopping facilities. It would also meet the objectives of establishing consistent zoning across the entire Project Site; developing a project that provides access for the majority of site traffic from Rosemead Boulevard and Huntington Drive so as not to increase traffic on the nearby residential streets; developing ingress and egress for the Fire Station such that the Project does not conflict with existing or future operations at the Fire Station; replacing

existing structures with a well-planned retail facility conveniently located with a contemporary design; consolidating the number of retail tenants at the Project Site; and developing the site to accommodate a national retail department store.

The Project, as revised, includes a one-story, 80,000 square-foot department store. This is smaller than and thus environmentally preferable to the Reduced Height Alternative.

For the above reasons, this specific alternative has not been selected.

9.3 ALTERNATIVE 3: OFFICE ALTERNATIVE

A project alternative that includes a change of land use at the Project Site was analyzed. The proposed change of land use is from the existing retail and restaurant uses to office and reconfigured restaurant uses. The Office Alternative would include demolition of existing retail and office uses, two restaurants, and five single family residences located at the Project Site. Construction would include a two-story building of approximately 98,500 square feet for office uses and approximately 8,500 square feet of restaurant uses that will replace one of the demolished restaurants. As with the Project, the Office Alternative includes continuation of the operation of one of the existing restaurants in its existing structure.

Air Quality:

Please refer to DEIR Section VII.C., pp. 131-134 and FEIR Section V, pp. 140-143 for an analysis of the Office Alternative's impacts to air quality. As with the Project, the Office Alternative would result in a less than significant air quality impact.

Noise:

Please refer to DEIR Section VII.C, pp. 134-135 and FEIR Section V, pp. 143-144 for an analysis of the Office Alternative's noise impacts.

The Office Alternative and the Project would have similar significant and unavoidable noise impacts during construction.

Both the Office Alternative and the Project will not result in a significant impact from increased traffic noise. However, because the Office Alternative would generate less traffic than the Project, the Office Alternative would generate less operational noise due to traffic than the Project.

In contrast to the Project, under the Office Alternative, there would be no loading dock or loading dock operations that would contribute to operational noise impacts. Therefore, the Office Alternative would result in a less operational noise than the Project due to loading dock operations. However, with the mitigation measure that trucks are prohibited from using the western drive aisle, the Project's loading dock will not result in a significant noise impact. Therefore, although the Office Alternative would further reduce noise impacts due to the loading dock, the noise impacts of both the Project and the Office Alternative are less than significant.

As with the Project, under the Office Alternative, the five existing single family residences at the southern portion of the Project Site would be demolished and replaced with surface parking for the proposed office uses. Therefore, operational noise impacts would be anticipated under the Office Alternative due to the noise associated with parking and internal Site circulation activities at the existing Sultana Avenue residences. However, due to the fact that the number of trips anticipated under the Office Alternative is less than the Project, operational noise at the Site under the Office Alternative would be less than those anticipated under the Project.

Traffic:

Please refer to DEIR Section VII.C, pp. 135-136 and FEIR Section V, pp. 144-145 for an analysis of the Office Alternative's traffic impacts.

The Office Alternative would result in a net increase of approximately 333 new vehicular trips daily, which is approximately 2,831 daily trips less than the Project. As the Project was determined to have a less than significant traffic impact if the proposed mitigation measures are adopted, the Office Alternative would be expected to result in a less than significant impact as well. Therefore, as with the Project, the Office Alternative would result in a less than significant impact to traffic. In the event that Caltrans and other jurisdictions do not approve the proposed mitigation, a significant traffic impact may result from the Project. In that case, the Office Project alternative would reduce or avoid this significant traffic impact.

Solid Waste:

Please refer to DEIR Section VII.C, pp. 137-139 and FEIR Section V, p. 145 for an analysis of the Office Alternative's impacts to Solid Waste. As with the Project, the Office Alternative would result in a less than significant impact to solid waste disposal.

Comparison to Project Objectives

The Office Alternative would generally meet the Project objectives discussed above in terms of complying with the following objectives and policies within the existing County of Los Angeles General Plan: (1) locating the use so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns and (2) encouraging the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations. It would also meet the objectives of establishing consistent zoning across the entire Project Site; re-parcelizing the subject property into three proportionate parcels, one for each use and its adjacent parking field; developing a project that provides access for the majority of site traffic from Rosemead Boulevard and Huntington Drive so as not to increase traffic on the nearby residential streets; and developing ingress and egress for the Fire Station such that the Project does not conflict with existing or future operations at the Fire Station.

However, the Office Alternative would not allow for the development of a retail use at the site and therefore, would not meet the objective of developing retail to be easily accessible and situated at community focal points such as major intersections and established neighborhood shopping facilities. The Office Alternative would not replace existing structures with a well-planned retail facility conveniently located with a contemporary design, consolidate the number

of retail tenants at the Project Site, or develop the site to accommodate a national retail department store.

For the above reasons, this alternative has been rejected.

9.4 ALTERNATIVE 4: MIXED USE

In an effort to reduce a County-wide and Los Angeles City-wide housing shortage, a project alternative that examined a potential increase in housing units, while incorporating the economic objective of retail development, was considered. This alternative would also result in the reduction of daily trips generated at the Site. The Mixed Use Alternative would include the replacement of existing uses at the Project Site with both retail and residential development. The Mixed Use Alternative would include demolition of existing retail and office uses and two restaurants located at the Project Site.

Development proposed under the Mixed Use Alternative would be consistent with uses permitted under existing zoning. Zoning on the Project Site includes C-1, Restricted Business Zone; C-2, Neighborhood Business Zone; C-H-DP, Commercial Highway Zone; and R-3, Limited Multiple Residence Zone. The Mixed Use Alternative includes the maximum square footage or unit build-out based on the existing zoning i.e., residential dwelling units on zoning that permits residential development, commercial/retail development on zoning that permits such uses. The General Plan designation of the Project Site is Medium Density Residential. The proposed residential uses under the Mixed Use Alternative are consistent with the Medium Density Residential designation.

Currently, a portion of the 1.8 acres zoned C-H-DP is developed with five single family residential dwelling units and the remainder is vacant. Under the Mixed Use Alternative, the existing dwelling units would be retained and the remainder of the C-H-DP zoning would be developed with six additional single family dwelling units similar to the existing five units. In addition, approximately 36 multifamily units would be constructed on the western portion of the Project Site that is currently zoned R-3. The C-1 and C-2 zoned portions of the Project Site (approximately 5.1 acres) would be developed with retail uses. The retail portion of the Mixed Use Alternative would be reduced to approximately 73,200 square feet (approximately 60 percent of the Project) due to the additional residential development. A new restaurant, approximately 8,500 square feet in size, would be constructed to replace one of the demolished restaurants. As with the Project, the Mixed Use Alternative includes continuation of the operation of one of the existing restaurants (approximately 14,060 square feet) in its existing structure. Figure 21: Mixed Use Alternative Site Plan, DEIR, p. 141, shows a potential site plan for the Mixed Use Alternative.

Following is a discussion of environmental impacts anticipated as a result of the Mixed Use Alternative.

1. Air Quality

Please refer to DEIR Section VII.D., pp. 142-144 and FEIR Section V, pp.152-153 for an analysis of the Mixed Use Alternative's impacts to air quality. As with the Project, the Mixed Use Alternative would result in a less than significant air quality impact.

2. Noise

Please refer to DEIR Section VII.D, pp. 145-146 and FEIR Section V, p. 154-155 for an analysis of the Mixed Use Alternative's noise impacts.

The Mixed Use Alternative and the Project would have similar significant and unavoidable noise impacts during construction.

Both the Mixed Use Alternative and the Project will not result in a significant impact from increased traffic noise. However, because the Mixed Use Alternative would generate less traffic than the Project, the Mixed Use Alternative would generate less operational noise due to traffic than the Project.

As with the Project, the Mixed Use Alternative will have a loading dock for delivery trucks located along the western side of the department store building. In comparison to the Project, this loading dock would be separated from the existing off-site single family residences by the proposed on-site multifamily residences which would reduce operational noise impacts to the single family residences. However, the operation of the Project's loading dock will create less than significant noise impacts with the mitigation measure restricting trucks from using the western drive aisle. Therefore, as with the Project, the Mixed Use Alternative will result in a less than significant operational noise impact due to operation of the loading dock.

Under the Mixed Use Alternative, the five existing single family residences proposed for demolition under the Project would be retained on Site. As a result, operational noise impacts anticipated under the Project at the existing residences along Sultana Avenue would not result under the Mixed Use Alternative. Furthermore, additional residences would be constructed to the east of those existing residences which would further block potential operational noise impacts to the existing residences west of the Project Site.

3. Traffic

Please refer to DEIR Section VII.D, p. 155 for an analysis of the Mixed Use Alternative's impacts to traffic.

The Mixed Use Alternative would result in a net increase of approximately 1,970 new trips daily at the Project Site. This is approximately 1,194 daily trips less than expected under the Project. As the Project was determined to have a less than significant traffic impact if the proposed mitigation measures are adopted, the Mixed Use Alternative would be expected to result in a less than significant impact as well. Therefore, as with the Project, the Mixed Use Alternative would result in a less than significant impact to traffic. In the event that Caltrans and other jurisdictions do not approve the proposed mitigation, a significant traffic impact may result from the Project. In that case, the Mixed Use Alternative would reduce this traffic impact but would remain significant.

4. Solid Waste

Please refer to DEIR Section VII.D, pp. 147-150 for an analysis of the Mixed Use Alternative's impacts to Solid Waste. As with the Project, the Mixed Use Alternative would result in a less than significant impact to solid waste disposal.

Comparison to Project Objectives

The Mixed Use Alternative would generally meet the Project objectives discussed above in terms of complying with the following objectives and policies within the existing County of Los Angeles General Plan: (1) locating the use so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation pattern; (2) encouraging the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations and (3) developing land use to be easily accessible and situated at community focal points such as major intersections and established neighborhood shopping facilities. It would also meet the objectives of developing a project that provides access for the majority of site traffic from Rosemead Boulevard and Huntington Drive so as not to increase traffic on the nearby residential streets; developing ingress and egress for the Fire Station such that the Project does not conflict with existing or future operations at the Fire Station; replacing existing structures with a well-planned retail facility conveniently located with a contemporary design; and consolidating the number of retail tenants at the Project Site.

However, the Mixed Use Alternative would not meet project objectives of establishing consistent zoning across the entire Project Site; and re-parcelizing the subject property into three proportionate parcels, one for each use and its adjacent parking field.

For the above reasons, this alternative has been rejected.

9.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

State CEQA Guidelines Section 15126.6(e)(2) requires the designation of an environmentally superior alternative to the Project and, if the environmentally superior alternative is the No Project Alternative, selection of an environmentally superior alternative from among the remaining alternatives. Please refer to DEIR Section VII.E, p. 151, FEIR, Section V, pp. 159 for an analysis of the environmentally superior alternative.

Alternative 1: No Project would eliminate the adverse environmental impacts of the Project and is considered to be the environmentally superior alternative. Of the remaining alternatives, Alternative 3: Office Project would result in the greatest reduction in significant impacts compared to the Project and is the environmentally superior alternative.

SECTION 10 - FINDINGS REGARDING MONITORING PROGRAM

Section 21081.6 of the Public Resources Code requires that when a public agency is making the finding required by Section 21081(a)(1) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes made to the Project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment.

The Board hereby finds that the Mitigation Monitoring Program, which is presented as a separate document with the FEIR, meets the requirements of Section 21081.6 of the Public Resources Code.

SECTION 11 - STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures, these effects can be mitigated to levels of insignificance except for an unavoidable significant impact on operational and construction noise. Pursuant to State CEQA Guidelines § 15091(a)(1) and (2), certain traffic mitigation measures listed in Sections 3.2 and 6.1 are within the responsibility and jurisdiction of CalTrans, the City of Pasadena, and the City of Arcadia and can and should be adopted. However, in the event that Caltrans and other jurisdictions do not approve the proposed traffic mitigation, a significant and unavoidable traffic impact may result from the project. In that event, the County hereby overrides that impact because of the following overriding considerations.

Having reduced the effects of the selected Project by adopting the conditions of approval and the mitigation measures, and having balanced the benefits of the selected Project against the Project's potential unavoidable significant adverse impacts, the Board hereby determines that the benefits of the Project outweigh the potential unavoidable adverse impacts, and that the unavoidable adverse impacts are nonetheless "acceptable," based on the following overriding considerations. Any one of these overriding considerations is sufficient to support the Board's determinations herein.

- The Project will redevelop an aging commercial center and will significantly upgrade and modernize the appearance of the property.
- The Project will be a catalyst to remove the blight on other properties at this major intersection at Rosemead Boulevard and Huntington Drive and along the Rosemead commercial corridor.
- The Project will remove the deteriorating and outdated small novelty stores and replace them with a department store, which will serve the local neighborhood, especially the high-density neighborhood located south of the Project.
- The Project will ensure the economic viability of the Northwoods Inn and Galley restaurants, which are long-term, well-known and popular restaurants within the community. In recent years, the retail stores at Clearman's Village have seen fewer customers and consequently diminished revenues. The stores included various small novelty shops. These stores were originally intended to allow customers to browse while waiting for dinner. However, over time, consumer preferences have changed, and what worked well three or four decades ago is not viable today and this decline in the retail stores has also adversely affected business at the Northwoods Inn and Galley restaurants.
- The Project will reintroduce a neighborhood-serving department store into an area that has lost this important commercial component.

- The Project will boost the local economy by providing approximately 150 additional jobs as part of the operation of the department store. These jobs could provide employment to students and seniors in particular. The Project will also allow the existing jobs at the Northwoods Inn and Galley restaurants to be retained.
- The construction of the Project will create jobs for a variety of workers, including, but not limited to, construction equipment operators, carpenters, electricians, plumbers, painters and landscapers.
- The Project will generate increased tax revenues, including sales tax revenues, that will help fund important public services in the community.
- The Project will create a \$300,000 community improvement fund for funding community enhancement projects.